

## SENATE—Friday, October 15, 1993

(Legislative day of Wednesday, October 13, 1993)

The Senate met at 10:30 a.m., on the expiration of the recess, and was called to order by the Honorable BEN NIGHTHORSE CAMPBELL, a Senator from the State of Colorado.

## PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

*Be subject one to another \* \* \*.*—Ephesians 5:21.

God our Father who hast "set the solitary in families," we pray for our families this morning. Far too often they are subordinate to most other priorities—if not intentionally, certainly in practice.

As we devote ourselves to the demanding schedule of the Senate when in session, may we devote ourselves to our loved ones. Grant that this weekend will be a time of family healing, reconciliation, and restoration. May our spouses and children enjoy the sense of being appreciated—being important—being loved and cared for.

In Jesus' name. Amen.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 15, 1993.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN NIGHTHORSE CAMPBELL, a Senator from the State of Colorado, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. CAMPBELL thereupon assumed the chair as Acting President pro tempore.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

The Senator from Maine is recognized.

## SCHEDULE

Mr. MITCHELL. Mr. President, Members of the Senate, the Senate will

today resume consideration of the Department of Defense appropriations bill.

It is expected that several amendments will be offered and debated. There will be no rollcall votes today. If rollcall votes are necessary on any of the amendments taken up today, they will be scheduled to occur beginning at 6 p.m. on Monday.

The Senate will return to session at 10:30 a.m. on Monday to resume consideration of this bill in a similar circumstance. That is, several amendments will be offered and debated, and any votes that are required will be scheduled to occur at 6 p.m. on Monday.

There may also be votes at that time on Monday on appropriations conference reports, if any are available for final action at that time.

Following the votes which will occur beginning at 6 p.m. on Monday—and at this time it is not possible to state precisely how many there will be, but it is anticipated that there will be more than one—following those votes, the Senate will continue in session as we attempt to make further progress on this bill.

It is my hope that we will be able to complete action on this bill by Tuesday. And then, as I have stated, it is my intention to proceed to crime legislation. We also will try to fill in with whatever conference reports are available.

Finally, the House is to take up today the unemployment compensation extension bill, and it is my hope that, if and when that matter is received from the House, we can act on it as promptly as possible.

Mr. President, the managers are present. I want to thank them for their patience and diligence. The Senate was in session until early this morning. I thank the Senators from Hawaii and Alaska for being here today, ready to work, and to continue action on this bill.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 3116, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

The Senate resumed consideration of the bill.

Mr. INOUE addressed the Chair.

The ACTING PRESIDENT pro tempore. The business now pending before the Senate is the first committee amendment, as amended.

The Senator from Hawaii is recognized.

Mr. INOUE. Mr. President, I ask unanimous consent that the committee amendments on page 8, beginning on line 12, on page 22, beginning on line 7, and on page 53, beginning on line 13, be considered and agreed to en bloc.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

The committee amendments on page 8, beginning on line 12, on page 22, beginning on line 7, and on page 53, beginning on line 13, were agreed to en bloc.

Mr. INOUE. Mr. President, I move to reconsider the vote by which the committee amendments were agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUE. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I ask unanimous consent to be recognized as though in morning business for a short period.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

# RECOGNITION OF BREAST CANCER AWARENESS MONTH

Mr. STEVENS. Mr. President, in the past I have discussed new developments in prostate cancer research and treatment and urged American men to be screened regularly for the disease, especially as they get older.

As we mark National Breast Cancer Awareness Month, I urge American women to follow the guidelines of the National Cancer Institute for breast cancer screening and ask my colleagues to support Federal funding for breast cancer research and treatment.

Before this decade ends, tens of thousands of American women will die from breast cancer, despite the fact that screening for the disease could have saved many of their lives.

I join my colleagues in the Senate Cancer Coalition to urge all Americans to participate in the fight against the disease.

Every American, both men and women, should know the facts about breast cancer. According to the Cancer Research Foundation of America:

One in nine women will develop breast cancer;

Four out of five women who get breast cancer have no family history of the disease;

Early detection is the best way to save the lives of breast cancer victims;

A mammogram can find cancer up to 2 years before a woman might feel a lump; and

The National Cancer Institute recommends that every woman over the age of 40 get a mammogram every 1 or 2 years; after 50 the Institute recommends annual mammograms.

We know that economic, geographic, or knowledge barriers often prevent women from available themselves of lifesaving screening technology or regular visits to a physician.

The Breast and Cervical Cancer Mortality Prevention Act of 1990 was a major step toward solving this problem. It makes early detection screening tests for breast and cervical cancers available to all low-income women, particularly American Indians, Alaska Natives, and African Americans.

But we still have a long way to go. Despite strides in research and a greater awareness of symptoms and screening, our Nation's breast cancer mortality rate has not diminished significantly. In my own State of Alaska, with a population of about 500,000, 59 women died of breast cancer in 1987 and 1988—the last year for which complete figures are available. Last year, from early statistics, it appears that approximately the same number of women died of this terrible disease.

National data for 1990 indicate that only one-third of America's women age 40 or older received a mammogram last year.

Mr. President, a comprehensive, coordinated public health approach is

necessary to reduce the breast cancer mortality rate. A national infrastructure is essential to support the complex elements necessary to guarantee all women access to high quality screening and followup services.

I urge my colleagues to support the conference committee's recommendation of \$78 million for breast and cervical cancer prevention activities.

Women as consumers, health professionals, volunteers, members of community organizations and as State and Federal policymakers, all play a vital role in successful cancer control. Collectively, this network has the skills and resources to enable all women to benefit from lifesaver screening technology.

But it is up to all of us—men and women—to work to ensure that the mechanisms are in place for effective detection, treatment, and recovery programs. To protect themselves, women can schedule mammograms, get regular checkups, and help with self-examination according to the National Cancer Institute guidelines.

But men with wives, sisters, mothers, and daughters, have a stake, too, in more effective breast cancer screening and new research and development. By working together, we can reduce breast cancer mortality through early screening. With increased research let us hope that some day soon an effective cure for this terrible disease will be found.

## TRIBUTE TO OSCAR DYSON OF KODIAK, AK

Mr. STEVENS. Mr. President, Oscar Dyson, a pioneer of the modern commercial fishing industry in Alaska, marks his 80th birthday this week.

Together with his wife Peggy, Oscar has pioneered and guided the fisheries off Alaska over these past 40 years. An excellent fisherman and a consummate statesman of the fisheries world, Oscar has helped ensure that our fisheries remain a renewable resource.

Known to many of his colleagues as "the old man of the sea," Oscar epitomizes the true Alaska fisherman. He cares deeply about our resource. He understands that Alaskans—particularly our fisherman—are the stewards of our oceans. Through public service and his personal life, Oscar works hard to protect our fisheries.

An Alaska resident for more than 50 years, Oscar first came to the great land to build runways with the Corps of Engineers, and survived the bombing of Dutch Harbor by the Japanese during World War II.

After the war, he fished for salmon and halibut out of Seldovia and king crab out of Homer. His was the first king crab boat in the Bering Sea.

Forty-one years ago Oscar moved to Kodiak, where he still resides.

Through the years from his Kodiak base, Oscar has fished for salmon, hali-

but, king crab, shrimp, pollock, and Pacific cod.

In 1971 Oscar's vessel, the *Peggy Jo*, made the first-ever commercial delivery of pollock and Pacific cod to a shore-based processing plant. That was the beginning of an industry that now employs thousands of Alaskans and other Pacific Northwest residents.

Mr. President, as our Alaska fishery grew, Oscar purchased with nine other Kodiak fishermen one of the first floating processors in the Togiak herring fishery. It is now the largest herring fishery in Alaska. Later, with those partners, he bought the shore-based processing plant, Star of Kodiak.

Alaskans have benefited from Oscar's commitment to public service. He has devoted thousands of volunteer hours to ensure the best for Alaska's fisheries and for Kodiak citizens.

Along with serving on the Alaska Board of Fisheries for 13 years, on the Kodiak City Council for 10 years and on the advisory board of Kodiak Community College for 3 years, he was a member of the North Pacific Fishery Management Council, appointed by the Secretary of Commerce. Oscar has also been a member of the U.S. delegation to many international fisheries treaty negotiations.

Since 1981, during the time that the part of Kodiak has consistently been one of the top three U.S. ports for fisheries landings, Oscar has been a member of the Kodiak Port Operations Advisory Board. The port has expanded considerably during Oscar's tenure on the board.

Oscar once noted that his most important achievement had nothing to do with the fishing industry. His greatest accomplishment, he said, was when he met his wife Peggy and began the start of a beautiful friendship and love affair.

Just as Oscar has led our fishermen in catching and processing fish and in the many battles our fishermen have had to fight through the years, Peggy has led those same men and women safely home, often through hazardous conditions, as the radio voice of the weather.

When Peggy's voice comes over the airwaves the boats listen. And she listens back, day in and day out. She learns what the weather is where they are, what news they have to share, and even, on some sad occasions, she has heard a boat's last message.

Together, Oscar and Peggy continue to make a major impact on the fishing world in Alaska. They are, indeed, the keel of Kodiak's—and Alaska's—fishing fleet.

Mr. President, with the residents of Oscar Dyson's home town, Kodiak, and his colleagues in ports all along our Alaska coast, I congratulate Oscar, and thank him for a lifetime of service to our State, to our Nation, and to the fishing industry.



The PRESIDING OFFICER (Mr. DECONCINI). The Senator from Kentucky is recognized.

Mr. FORD. Mr. President, I would like to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Kentucky is recognized.

#### LETTER OF APPRECIATION FROM STAFF TO SENATOR DENNIS DECONCINI

Mr. FORD. Mr. President, I have a letter that was sent to me from some staff members, and I would like to read a line or two from that letter. It reads:

DEAR SENATOR FORD:

Since Senate rules prohibit staff from speaking on the Senate floor, we are asking you to read the attached letter to Senator DeConcini. We are very proud of our boss and would like our thoughts to be part of the permanent Congressional Record.

Thank you for your assistance.

This letter was signed by all members of the Presiding Officer's staff.

Mr. President, I would like to read the letter to you that will be included in the CONGRESSIONAL RECORD.

OCTOBER 15, 1993.

Senator DENNIS DECONCINI,  
U.S. Senate, Washington, DC.

DEAR DENNIS: We wanted to let you know how much we appreciate working for you. Many of us have been with you since the beginning of your Senate career, and while the staff has evolved over the years, some things remain constant.

We believe it is rare to have a boss who cares so much about his staff—not just as a collective body, but as individuals first. You treat each of us with respect and trust, and never forget to thank us for a job well done. When personal emergencies arise, you are genuinely concerned.

Your policy of promoting within the office has given us confidence, encouragement, and numerous opportunities. You have also provided countless interns, legislative fellows, and volunteers the chance to learn about and participate in the congressional process that is so important to you.

We are happy that your decision to retire was made with yourself in mind, because we know how hard you work on behalf of others. To us and your many friends you will always be a considerate, conscientious, and caring person who is dedicated to making government work for the people.

We look forward to helping you achieve your goals in the coming months, and wish you Godspeed when your Senate career ends and new horizons open to you.

Sincerely,

THE STAFF OF SENATOR DECONCINI.

Anne Marie Abruscato, Cindy Balmuth, Ignacio Barraza, Tara Bedford, Cliff Blaskowsky, Sally Brown, Shannon Brown, Dennis Burke, Matt Burnham, Nancy Carkci, Tim Carlsgaard, Cybele Cobb, Matt Collins, Carrie Coxon, John Dekoker, Louis DeLeon, Barry Dill, Doug Ferry, Jane Fisher, Bruce Flinn, Bonnie Fricks.

Angela Gabusi, Carlos Galindo-Elvira, Tim Gearan, Margo Gillman, Marie Grijalva, Irene Hamburger, Ginger Harper, Mary Hawkins, Constance Herron, Lisa Hewitt, Heather Hopkins,

Sally Isaly, George Israel, Avis Jackovich, Lisa Kane, Ariel Kaplan, Gene Karp, Lynn Kimmerly, Allan Litovsky, Janis Long.

Missy Lopez, Judy Leiby, Patty Lynch, Mary Magner, Mary Mahoney, Lardyn Marcus, Derick Mains, Nick Mansour, Bob Maynes, Sharon McGee, Jenna Morgan, William Morlan, Patrick Murphy, Pam Nolan, Mike O'Leary, Mary Jane Perry, Morgan Reed, Darcy Renfro.

Jamie Ridge, Karen Robb, Kathleen Sakelaris, Bobbie Schorr, Traci Siegel, Beatrice Smith, David Steele, Matt Stout, Jim Streetman, Cele Swensen, Charlie Taylor, June Tracy, Virginia Turner, Mike Vanderburgh, Duane Vincent, Chip Walgren, Carol Walker, Jeanette White, Eduardo Ivan Zapier.

The PRESIDING OFFICER. The Chair thanks the Senator from Kentucky and is grateful for the Senator's involvement.

It would be breaking the spirit of the rules here to comment, but I knew there was a reason I was called here this morning and I could not figure it out.

Mr. FORD. I say to the Chair, there are not many things you do not know, but I think this morning you did not know about this. And all of us are grateful, as is your staff. We know your staff and we work with our staff. We understand their dedication. It has always been something that rubbed off on others.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I further ask unanimous consent to speak as in morning business for 12 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### OLDER AMERICANS WANT TO WORK

Mr. GRASSLEY. Mr. President, today I would like to draw attention to an article in a not so recent issue of a publication called Rural Electrification. It was written by Elizabeth Hudson. It was entitled, "Working Late: Today's Older Americans Don't Want To Be Idle."

This article, however, from a magazine that is probably 3 or 4 years old, is just as applicable today as it was when it was written. The article drives home the point that we have approximately 29 million people in this country who are 65 or older, a number which continues to grow. Although many of these older people want to retire, many do not. Survey research has been showing this for some time. A survey of retirees

conducted 10 years ago for the American Association of Retired Persons found that one-third of those surveyed would prefer to be working. Some want to work or to volunteer their skills in order to keep active or to contribute to their communities. Others must work because their Social Security and other pension benefits do not enable them to maintain a decent standard of living. This is particularly the case for older women, many of whom are displaced homemakers.

The article led me to reflect on the importance of continuing our efforts to make it possible for older workers to work as long as they are able and willing to do so. Creating a situation in which this is possible, I believe, is good public policy. It will benefit individuals by making it possible for them to gain additional income, by keeping them productively involved in the society around them and, consequently, keeping them healthier longer, and I will bet, from the standpoint of Medicare costs, save a lot of taxpayers' money.

It would benefit the larger society by helping to relieve the strain on our public and private retirement systems by keeping more workers available in a period during which it is widely expected that there will be shortages of younger workers and by making available for everyone's benefit the diverse skills of older workers.

In fact, Mr. President, I think it is safe to say that this emphasis represents more than just wise public policy. We, in fact, desperately need as a society to embrace the idea that people are going to have to do more to provide for themselves in retirement. We here in the Congress need to continue eliminating the disincentives to employment of older workers and, indeed, to provide incentives for their continued employment. This is not changing any policy. Anybody who wants to retire ought to be able to do that. I am only saying that there are in our public policies disincentives to employment that, as a matter of fairness, as well as economic good, ought to be eliminated.

The article in Rural Electrification was, of course, about a very narrow program we have, the Green Thumb Program. The Green Thumb Program is supported through title V of the Older Americans Act, the Senior Community Service Employment Program. The goal of title V is to provide employment for low-income older people.

Green Thumb does outstanding work in providing work for low-income, rural older people. Unfortunately, the Older Americans Act title V program has been supporting only about 62,000 jobs annually. Even though title V and the older worker component of the Job Training Partnership Act do good and much needed work for older low-income workers, with the resources now available to them and the resources

which realistically will be available to them in the future, they will not even begin to scratch the surface of the older worker problem that we have in this country.

I do not pretend to say that this can be solved by passing more legislation. I think, more importantly, it takes some of the disincentives out of our present private sector.

If we are going to achieve the goals for older workers outlined in the preamble to the Older Americans Act and move toward a continued employment policy for older workers, we need to concentrate our efforts where the jobs are—with the main line small and large businesses in our country.

Unfortunately, we are still operating in the context of a long established national retirement policy which encourages people to retire at a relatively early age. This policy has been partly the result of Federal law, partly the result of informal but powerful consensus with respect to older workers, partly the result of age stereotypes and age discrimination.

The centerpiece of our national retirement policy is, of course, the Social Security Act of 1935. This retirement program, the Old Age and Survivors Insurance Program, has provided perhaps the major incentive in public policy to retire early.

Certainly the Roosevelt administration, when it launched the Social Security Act in 1935, did not think of it in those terms. Rather, in the depression years of the 1930's, older unemployed people were among the most needy and the Social Security program was well designed to assist them economically.

I think it can also be argued, however, that the Social Security Act ultimately did have the effect of helping older workers to get out of the work force. This was particularly the case after individuals were permitted to retire at 62. Large percentages of eligible population have taken advantage of this opportunity even though the benefit they receive is reduced compared to what they would receive if they continued to work to age 65.

It is further the case that the rules of the program have required since its inception that, once an individual has retired, any earnings over a stipulated level would cause that individual's Social Security benefit to be reduced. This provision serves to penalize those older Social Security recipients who wish to work while also drawing their Social Security benefits. Social Security statistics indicate that many beneficiaries deliberately hold their earnings below the limit to avoid losing any Social Security benefits.

The Social Security Act also held to establish 65 as the age of so-called normal retirement in the American work force so that employers and employees would consider that age as kind of a magic time when a worker should, in

fact, be out of the work force as the time when, in other words, it was mandatory to retire.

Until recently, also the pension law has been construed to permit employers to cease accruing pension credits for workers who chose to work after 65. Although it is the case that many employers did continue to credit the work of their 65-year-old workers toward pension, many employers did not. Thus, many older workers encountered a disincentive to continue employment after age 65.

Finally, older workers, by which I mean workers over the age of 45, are discriminated against in the labor market to a greater degree than mature workers who are younger than 45. At that age, the statistics show that workers begin to experience more frequent periods of unemployment and are out of work longer when unemployed than people below age 45. This age discrimination problem only gets worse as a person gets older.

Unfortunately, enforcement by the Equal Employment Opportunity Commission of the Age Discrimination in Employment Act of 1967 has been less than adequate in recent years. This was most dramatically revealed just in the last couple of years when it came to light the Commission had allowed the statute of limitations to lapse on some 900 age discrimination appeals, thus effectively eliminating the opportunity of those workers to seek redress for the grievance which brought them to the Commission in the very first place.

We have made some recent progress in dismantling the retirement policy in recent years, Mr. President, in reducing the disincentives caused by public policy which get in the way of continued employment of older Americans.

Under the terms of Public Law 98-21, as an example, we are going to gradually increase the age by which an individual first becomes eligible for full Social Security benefits to age 67. And this is going to start in the year 2000. There has been some talk more recently, maybe based on budgetary reasons, that that ought to be triggered in even before the year 2000, but presently it is 2000.

This change in Public Law 98-21 also involves an increase in the benefit reduction which will be experienced by those who retire at age 62. When the new retirement age for full benefits is fully phased in, a worker could still retire on reduced benefits at this age of 62. But the benefit at age 62 would be equal to 70 percent of full benefit to be available at age 67 rather than 80 percent of the benefit available at age 65 as is the case under current law.

The Congress has amended the Age Discrimination in Employment Act five times since it was enacted in 1967. I am proud to have been an author of an amendment to eliminate—I think

we did this in 1984—a loophole in the law which permitted American companies employing American citizens abroad to escape coverage of this very important Civil Rights Act.

In the 1978 amendments, the Congress raised the retirement age to 70 and then took a very important step forward when it amended it again in 1986 to eliminate mandatory retirement altogether except for a phase-in elimination for police and fire workers and tenured faculty.

Mr. President, 644,000 workers enrolled in pension plans may benefit from this change in pension accrual if they choose to work past the age of 65.

On another occasion, I joined several other Senators and Congressmen in calling to the attention of the Internal Revenue Service the inappropriateness of provisions contained in the EEOC draft versions of the regulations with respect to workers who had worked past the age of 65 prior to the enactment of that legislation. The draft EEOC regulations stipulated that work after age 65 done prior to the enactment of the legislation could not be counted for pension credits. I understand that the Internal Revenue Service, which as I mentioned was to be lead agency in the development of such regulations, has ruled that such workers will receive pension credits for such employment.

Statistics collected for the American Association of Retired Persons show that 275,000 people nationwide may benefit by as much as \$3 billion in the aggregate from this change in pension accrual.

The Social Security earnings limit has been raised so that benefits will be reduced less for what the older workers aged 65 to 70 earn above the earnings limit amount.

Legislation is being introduced which I have cosponsored to eliminate the earnings test altogether. This bill would raise the cap on earnings for such beneficiaries and eventually it would drop the cap altogether. Were this bill to pass, it would eliminate at least one incentive not to work or to reduce the amount when one does work.

Currently, as I noted earlier, approximately 900 age discrimination cases filed with the EEOC have lapsed due to the statute of limitations. Obviously, more needs to be done. While we have made considerable progress in recent years, we can do more. To some extent, of course, the developing shortage of younger workers will cause the market to retain older workers longer, and to provide incentives for them to continue working.

But we cannot leave it entirely to the market to keep older workers in the labor force if they voluntarily want to be there. In a sense, as we make progress in eliminating the public policy disincentives to work confronting



older workers, the remaining problems are subtle and more difficult to deal with. It becomes relatively more important to confront negative stereotypes about older workers. It becomes relatively then more important to insist that older workers are not discriminated against on the basis of age; that they are evaluated solely on the basis of their ability to perform.

A survey of older adults conducted by Louis Harris & Associates revealed that 78 percent of those surveyed believe that most employers discriminate against older workers, making it hard for them to maintain gainful employment.

Sixty-one percent of employers surveyed by William Mercer, Inc., thought that older workers are discriminated against. I do not think that there is much doubt that age discrimination remains a major problem.

We need to encourage programs such as worker equity programs being undertaken by the AARP. This project is oriented to mainline employers where the vast majority of jobs happens to be. The project analyzes the effects of growing numbers of older workers in the country. It assists older people with their career decisions. It promotes in the employer community the benefits of employing older workers, and it tries to eliminate age discrimination in the workplace.

Insofar as we eliminate public policy obstacles to continued employment of older workers, we are going to need to have more programs like AARP's Older Workers Program, that calls to the attention of employers the benefits of employing older workers, that counters unrealistic negative stereotypes about those older workers, and that makes eliminating age discrimination of the highest priority.

In another 20 years or so, baby boomers who were born after World War II will be at the Social Security retirement age. Scholars estimate that between the years 2010 and 2030, the percentage of older workers in our country may become 20 percent or more of our Nation's population.

Keeping competent, knowledgeable, hardworking, older people in the labor force, especially given that many of them want to continue working beyond normal retirement age, should be a very highest priority of public policy and of our society.

I yield the floor.

Mr. INOUE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WOFFORD). The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the pending

amendment be set aside for the purpose of offering an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 1044

(Purpose: To prohibit the use of funds for a service academy preparatory school test program)

Mr. MCCAIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 1044.

Mr. MCCAIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the title of general provisions, insert the following:

SEC. 1. (a) Notwithstanding any other provision of law, none of the funds appropriated by this Act or any other Act, or otherwise made available, to the Department of Defense may be obligated to carry out a test program for determining the cost effectiveness of transferring to the private sector the mission of operating one or more preparatory schools for the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy.

Mr. MCCAIN. Mr. President, this amendment prevents expenditures of taxpayers' money from any programs, Department of Defense or otherwise, that would be diverted for any service academy preparatory schools pilot program.

Mr. President, we have a very difficult time allocating all of our taxpayer dollars to the much-needed programs that are already in existence. This would prevent the Department of Defense from wasting taxpayers' money by conducting a test program to determine the effectiveness of using private preparatory schools as an alternative to the service-operated schools. Mr. President, as you may be aware, the service academy preparatory schools are currently implementing many cost-saving initiatives recommended by the GAO, the Department of Defense, and the American Council on Education.

Let me point out, Mr. President, that the service academy preparatory schools are absolutely vital in helping prepare women, enlisted personnel, and minority candidates, especially African-American males, for the service academies who otherwise would not have the opportunity. Fifty-two percent of all African-American midshipmen at the Naval Academy went through the Naval Academy Preparatory School. At the Air Force Academy, 50 percent of all African-American cadets at the Air Force Academy went through the Air Force Academy Preparatory School. At West

Point, 33 percent of all African-American cadets went through the Military Academy Preparatory School.

The superintendents of these service academies have stated to me that these rates of minority cadets and midshipmen could not be maintained if they had to rely on private preparatory schools. In a recent briefing in my office, the GAO stated to me, after a thorough study, that they recommend delaying any test program on preparatory schools until a revised baseline reflecting several cost-saving initiatives is completed in order to permit a more meaningful comparison. Furthermore, the GAO has acknowledged that the services are taking major steps to reduce costs based on recommendations by the services, GAO, and the American Council on Education.

The GAO has stated that current cost-saving initiatives by the services will reduce costs to the preparatory schools by one-half of what they originally reported to Congress. In recent data provided to me, service academy preparatory school costs are right in line with private preparatory school tuition. This amendment would simply implement the recommendation of the General Accounting Office, that is to delay any test program until further study and a revised baseline is completed.

Mr. President, I am not going to take long on this amendment, because I have had an opportunity to discuss it with the distinguished managers of the Defense appropriations bill. But the fact is that one of our goals in our military service is to provide an opportunity for all Americans to become officers, as well as enlisted, in our services. Mr. President, the primary source of officers in the military is through the three service academies. The cadets and midshipmen who graduate from the service academies comprise the core of the officer ranks.

The preparatory schools provide an opportunity for minorities—men and women—to attain entrance into the service academies, which is available nowhere else. Mr. President, I am not sure you can quantify that in dollars and cents. I am not sure how you put it into a computer and analyze that an African-American male officer is worth X dollars, or an African-American female officer is worth Y dollars, or a Hispanic male or female officer is worth Z dollars. But I do know that, in society, we can have a much more effective military by having as nearly an equal representation as possible of minorities in the officer rank as we do in enlisted ranks.

Mr. President, even though the GAO has recommended a delay in any test program because of cost analyses, there is something that is more important here, and that is providing an opportunity for minority men and women

who wish to serve our country, should be encouraged to do so. Why is that, Mr. President? We all know that many minorities are not afforded a high school education that nonminorities are.

These preparatory schools give them the background, training, and education in order to compete and achieve the test scores so that they can be accepted into our three service academies. I am proud to be a third generation graduate of the Naval Academy. I am not proud of the fact that there was only one African-American in my class of over 900 graduates. I am not proud of the fact that there were only three Hispanic graduates in my class of over 900 graduates. I am pleased to see that the service academies are giving tremendous emphasis and the highest priority to the recruitment and induction of minority Americans into our service academies. Furthermore, I believe, as does the superintendents of the three service academies, that this amendment will prevent an erosion of their continued effort to do so.

Mr. President, I ask for a voice vote on this and yield my time.

Mr. INOUE. Mr. President, I am pleased to speak on behalf of both managers on this measure. We concur fully with the intent of this measure, and we will be most pleased to accept the amendment.

Just one question: Is this one of those on the approved list that was set forth in the consent agreement last evening?

Mr. MCCAIN. The list of amendments that I had submitted?

Mr. INOUE. Yes.

Mr. MCCAIN. Yes.

Mr. INOUE. Mr. President, I urge adoption of this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1044) was agreed to.

Mr. MCCAIN. Mr. President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MCCAIN. Mr. President, I would like to take a moment to thank my colleague from Hawaii. He is a living example of the service that all Americans can provide to our country. I know of his keen interest and sensitivity to providing opportunities for all Americans. He represents a large number of great Americans who have served our country with distinction and honor.

I would also like to thank the Senator from Alaska, who represents Native Alaskans, and he has done everything in his power to see that they have the opportunity to enter the service academies. I thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. AKAKA). Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I have notified the managers of the bill, plus I have notified our colleagues, that it is my intention to offer an amendment to the Department of Defense appropriations bill that would limit—or basically prohibit—U.S. combat troops from participating in a combat situation under the control of the United Nations under a foreign commander unless authorized by Congress.

I notified the chairman of the subcommittee of this when we had the subcommittee markup. I notified the committee when we had the full committee markup. Both times Senator INOUE, as chairman, requested that I withhold introducing that amendment until we came to the floor.

I am prepared to offer that amendment. I seek the counsel of the chairman of the subcommittee, if it is his preference to do that today or his preference to do that Monday? I will certainly abide by his wishes.

Mr. INOUE. Mr. President, if the Senator will yield, the Nickles amendment is an important one. In fact, I would say that this amendment is one of the most important that the Senate will consider as we progress on this defense appropriations bill. It involves our relationship with the United Nations. It involves congressional involvement and authorization for the use of combat forces overseas. It involves the United Nations itself. Because of the importance of this amendment I would most respectfully suggest that we bring this matter up as the first order of business on Monday at 10:30, because at that time most of our colleagues will be available to participate in the debate.

At this moment, as we all know, there are four conferences going on, on appropriations measures and others, there are about three hearings being held, and other leadership conferences relating to this measure. As a result, the Chamber is empty. In fact, we apologize to those who have come from far-away States to be with us today to listen in on the debates, but today is a working day for most of my colleagues in committee rooms and conference rooms.

As a result, I suggest that this matter be brought up on Monday, when I know that more of our colleagues will be available to participate and listen to the Senator's remarks. This measure is a very important one and I am certain the members of the Foreign Re-

lations Committee, the members of the Armed Services Committee, and I would think members of the Select Committee on Intelligence would like to be present when the Senator lays down the amendment and presents his argument.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. I will be happy to abide by the Senator's wishes. I wonder could we enter into unanimous-consent agreement that this amendment will be taken up at 10:30 on Monday?

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. INOUE. Mr. President, I ask unanimous consent that when the Senate convenes on Monday next at 10:30, the first order of business will be the amendment offered by the Senator from Oklahoma [Mr. NICKLES].

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. NICKLES. Mr. President, I must thank my colleague from Hawaii for not only his accommodation, but I happen to agree with him. I think this is an important amendment. I also wish to compliment the Senator from Hawaii, as well as the Senator from Alaska, for their leadership in putting together this bill. The Defense appropriations bill is certainly one of the most important legislative items we will consider this year.

I also wish to congratulate and compliment my colleagues who participated in the debate last night on both resolutions dealing with Somalia. I think the leadership given by Senator BYRD, as well as Senator MCCAIN, as well as the speeches that were made last night, were some of the best I have had the pleasure of witnessing and participating in since I have been in the Senate.

Again, I thank my friend and colleague from Hawaii for his leadership and I look forward to debating this amendment. Again, I hope that my colleagues will look at this amendment because it is an important amendment. It deals with U.S. combat troops under United Nations, under foreign command. It would prohibit that unless authorized by Congress. That is an important principle.

Again, I thank my friend and colleague, the chairman of the subcommittee, and the ranking member, for their accommodation.

Mr. INOUE. Mr. President, may I make an inquiry? Will you consider a time limitation?

Mr. NICKLES. I will be more than happy to agree to a time limit. I think we will need at least a couple hours. I have been informed that one Member at this point is not willing to enter into a time agreement, and possibly will be—and my guess is he will be—



willing to enter into a time agreement in the future.

Mr. INOUE. We can discuss that on Monday?

Mr. NICKLES. Yes.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Nevada [Mr. REID].

AMENDMENT NO. 1045

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for himself and Mr. INOUE, proposes an amendment numbered 1045.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with. This amendment is being offered on behalf of myself and the manager of the bill, Senator INOUE.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, insert the following:

"SEC. . It is the sense of the Senate that—

"(a) the Secretary of the Air Force consider the comments of the appropriate representatives of the Duck Valley Reservation of the Shoshone-Paiute Tribes in making decisions on use of airspace above such reservation;

"(b) the interests of the Duck Valley Reservation of the Shoshone-Paiute Tribes receive the appropriate consideration under any pending or future National Environmental Policy Act process involving airspace over Duck Valley Reservation; and

"(c) to the extent practicable, airspace used for military training flights below 15,000 feet above ground level over the Duck Valley Reservation shall be over uninhabited areas of the reservation."

The PRESIDING OFFICER. Is there objection to setting aside the committee amendments?

Mr. REID. I ask unanimous consent that the committee amendments be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, in the early part of the 1800's, a group of trappers traveled into the northeastern part of the State of Nevada. Their purpose, of course, was to go along the little river there to see what they could find in the way of beaver, mink, and other types of pelts. They never returned. No one knows what happened to them.

But as a result of that journey of those trappers from the State of Hawaii, that area has been known since then as "the place that the Hawaiians went" and, in fact, after that, the whole area has been named after the trappers from Hawaii. The name is now Owyhee. So in the State of Nevada, we have a place that is named after people who came from the Islands of Hawaii.

Mr. President, the river is named Owyhee. There is a town named Owyhee. It is an interesting place but,

more importantly, for the purposes of this discussion, it is the Duck Valley Reservation of the combined Shoshone/Paiute Tribe. It, by national standards, is a small reservation that saddles the Idaho and Nevada border. But, by Nevada standards, it is a large reservation. It is the second-largest reservation in the State of Nevada, with about 1,200 enrolled members.

The reservation, like many of the Indian reservations in the western part of the United States, is on very desolate, barren, remote land. That is what we gave the Indians; not the choicest lands, but really those areas far removed from population centers. And, generally speaking, the lands were not the best.

This reservation comprises almost 300,000 acres—a lot of land. As I have indicated, only 1,200 people live in that whole area. It is a small, square piece of land about 20-miles long and 20-miles wide.

Through the Treaty of Fort Boise in 1864, and the Bruneau Treaty 2 years later, which was signed by certain bands of Shoshone and Paiute Indians and the territorial Governor of Idaho, a man by the name of Caleb Lyons, this land was set aside as a reservation. Of course, the reservation was to have certain sovereign rights.

What are sovereign rights to the Indians? That, Mr. President, is something we are still debating. This reservation was only formed after the U.S. Cavalry, the U.S. Army, failed to wipe out this band of Shoshone/Paiutes at a place called Sihwiyo.

There was a story told by a Duck Valley medicine man named Powonto who, at the time he told the story in 1962, was 104 years old. He told the story he remembered of a day in 1866 when the white man came to wipe out his people. Not, Mr. President, to have them move someplace else, not to take them into slavery, but to kill all of them. He said:

My people were camped at Sihwiyo, which means "Willows in a Row," repairing our equipment and digging wild potatoes. It was morning when the soldiers rode over the hill to the west of the willows. They came shooting, but our braves held them off while our people withdrew under the rimrock to the east. There a stand was made until nightfall. A council was held and it was decided to pull out to the water in the canyon. A trail was to be left so that soldiers would follow. An ambush was planned. Our braves would be positioned so as to keep the soldiers from the water. We would force them to withdraw.

A rarity in the history of the conflicts between the Indians and the white man. The Indians won. Powonto's people were successful in surviving this onslaught.

This is far removed from that beautiful part of Nevada. By Eastern standards, with the lush meadows and high trees, it might not be much. By the standards of Hawaii, the namesake of this place, it might not be much to

look at, unless you are from Nevada. That is where I was raised, and to me it was beautiful.

I was in Owyhee about a month ago. It is a well-managed, well-run tribe. The Native Americans who live on that reservation attempt to live a quiet, mostly pastoral life. The little Owyhee River runs through there. They are able to grow some things.

The purpose of this amendment, Mr. President, is to bring to the attention of the U.S. Senate a wrong that is being committed to these people in a remote part of the United States in the State of Nevada.

As I have indicated, this area was formed as a result of the Indians being forced to live there. They survived onslaught after onslaught. They want to live a quiet, peaceful life. It is 100 miles to Elko, NV, the only real city that is nearby. They are out in the middle of nowhere.

What this amendment does is tell the Senate that these Native Americans are not being treated fairly. Why? There is a military base in Idaho, Mountain Home Air Base. These airplanes have gotten progressively more dangerous, more annoying, more bothersome, and they are destroying the way of life of these people.

I do not know how many people have ever seen a jet aircraft flying at 600 miles an hour 100 feet off the ground coming at you. It is a real experience. It happens in Owyhee on the Duck Valley Reservation all the time. This reservation has been bombarded with the roar of low-flying jets, jolted by literal window-breaking sonic booms. Flights, as I have indicated, come out of Mountain Home Air Base in Idaho. Military airspace covers the whole reservation.

Not only do these low-level flights disrupt the lifestyle of the tribes, but they are dangerous. Cattle have been spooked. I had one of the tribal leaders tell me that this used to be a great place for hunting sage hen. Not anymore. They are gone. Sage hens may not be very smart, but they know they do not want to live in a place where there are jets flying 100 feet off the ground.

Ranchers have lost control of their horses. They have been thrown off their horses.

I repeat for the second time, windows have been broken by sonic booms in houses and in schools. Often things are knocked off the walls. In fact, when I first brought this to the floor, 15 windows in reservation buildings had been broken by sonic booms. The Air Force is to fly at least 4 miles outside of town, but they do not do this. They fly over the town, the little, tiny town of Owyhee. Children are frightened by these flights. Adults are frightened. Children are just more honest. They admit it. They cry.

Mr. President, I am not being overly dramatic. I am just telling you the

facts that have been related to me by people in Owyhee.

The tribal chairman has personally witnessed flares being dropped from aircraft at or near his town, certainly on the reservation. The flares cause fires that can easily get out of control. They have not, but they could. And one reason they have not is the area is quite arid and there is not much that grows in most places. But it is only a matter of time until something happens worse than has happened.

As I indicated, the sage hen population used to be in the thousands and tens of thousands. They now are lucky to see a sage hen. This is not something that they do for sport. The sage hen, Mr. President, was a game bird that they hunted for food. The eagle population, same decrease.

Culture, property, and safety of the tribes is threatened by military operations in its airspace. And it is not like in another area of Nevada—we have been through this before. We had an area called Dixie Valley where the Navy was having low overflights. What we did there is we bought them out. The U.S. Government bought out all these farmers in Dixie Valley.

Where do the Indians go? This is their land. You cannot buy out an Indian reservation. It is not like the people living there can just sell their land and move.

The reason, Mr. President, I mentioned the battle that was described by the 140-year-old man, Powonto, is they believe in a spiritual sense that these are sacred grounds, and they do not want these airplanes booming over them.

The tribes do not have the option, as I have indicated, of selling out. The tribes have been fighting for over 100 years to be free and to live the life that they have come to love in this remote part of America.

They have fought in the armed services of the United States. If you go to the tribal headquarters there, that is one of the things you will see on the walls—how they look up to those Native Americans from this tribe who have gone into the military. They have pictures on the wall.

I wish to make sure that everyone understands this amendment. In the spirit of compromise, this is different than the one that was, for example, in the Democratic policy bulletin and the one I have talked something about. This is a sense-of-the-Senate amendment that does not stop overflights on the reservation, even though it should, but urges that the Air Force sit down with the tribe and work out an arrangement acceptable to both sides.

Now, how could anyone oppose this? How could anyone in good conscience say that the Air Force should not sit down with the tribe and work out an arrangement acceptable to both sides? It does not appear that the Indians are

overreaching. I personally think we would be better off having an amendment just to stop the overflights at a certain height. But in the wisdom of the chairman of this subcommittee, someone for whom I have great respect, who is chairman of the Indian Affairs Committee and my friend, I followed his advice and counsel and we have this now in a sense-of-the-Senate resolution. I hope the arrangement will include an agreement by the Air Force not to fly over inhabited areas of the reservation.

Remember, no one lives most places on these 300,000 acres. So all the Indians are concerned about is the place where they live and an area that they consider sacred because that is where this battle about which I talked was fought.

My amendment encourages this. This does not force the Air Force to do anything. I think this is the least we can do to provide these fine people, who live on this reservation, a chance to provide input on what happens over their own land. I am sure it can be worked out with no problem. These are reasonable people.

Powonto's people were successful that day way back in 1866 in making the soldiers withdraw, but the soldiers are still coming. However, they are more powerful this time.

So I urge my colleagues to support this sense-of-the-Senate amendment which encourages the Air Force just to consider comments by the tribe on the use of airspace over the reservation and urges the Air Force "to the extent practicable" to fly over uninhabited areas when they are below 15,000 feet.

Now, 15,000 feet is not very high, and the sense-of-the-Senate resolution does not even ask the Air Force if they are higher than 15,000 feet to stay away from the little town.

It is a reasonable request, a request the Air Force ought to accept. In fact, it is so reasonable one might ask why I even have to offer the amendment?

I have spoken with the Air Force. I guess evidently they want to retain their ability to buzz schools and houses and adults and children and these sacred lands of these Indians. One of the answers the Air Force gives is, "We will pay for the broken windows." Generous.

Mr. President, that is not the point. The point is this is not a financial issue. It is a quality-of-life issue. I am told that the military already can fly over cities and towns at 1,000 feet, but the fact is they do not. Citizens simply would not stand for it, anywhere. Why should these native Americans stand for it?

When is the last time anyone in this Chamber had any F-15 fly over them at 100 feet or 1,000 feet or over their homes? It does not happen to us. It only happens to them. It happens to the native Americans at Duck Valley.

It happens to them not at 1,000 feet, as I mentioned, but at 100 feet.

Why would the Air Force want to keep doing that?

Once again, this is only a sense-of-the-Senate resolution urging the Air Force to consider comments by the tribe.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi, Mr. COCHRAN, is recognized.

Mr. COCHRAN. Mr. President, I rise to thank the managers of the bill for agreeing to set over to a time certain the amendment that Senator NICKLES and I will be offering with respect to the deployment of U.S. troops under U.N. command and control and for the participation of U.S. forces in any kind of standing international army or reaction force controlled by the United Nations. We will be discussing that on Monday.

There was one other item that I considered offering an amendment to address, but I decided not to offer it.

As a member of the subcommittee which drafted this bill, along with the distinguished Senator from Hawaii and Senator STEVENS, with whom I discussed this issue and who has voiced his own concerns, I am very concerned about the increasing requests that the committee is receiving from the administration for appropriations to fund activities that really are not traditional defense functions.

For example, when Secretary Aspin the other day was before our committee for the final year-end assessment of the needs of the Department of Defense for the fiscal year that has just now begun, he talked about a category of new functions that will be funded, through this subcommittee presumably, and administered by the Department of Defense. This category of functions was described by the Secretary as new initiatives. We heard his testimony and saw the list graphically displayed. Peacekeeping was on the list, democratization was another, building new democracies, and environmental security was another.

Defense for democracy was another phrase that was used by the Secretary. There is also a new administration official who has been identified as having the responsibility to administer these programs at the Assistant Secretary level, an Assistant Secretary for Defense for Democracy and Peacekeeping.

The other day we also observed a news conference when the Secretary displayed a new MRE package designed for humanitarian relief put together with \$8½ million of funds from the Department of Defense to provide humanitarian and food assistance for persons



in other countries who were presumably victims of disasters or famines or other tragedies.

I am not suggesting that we ought not to respond in a very sensitive way to the needs that we see around the world that evoke the kind of humanitarian reaction that we all feel as Americans. We have traditionally responded with generosity and with action to help others in need. What I am concerned about is having the Department of Defense, though, as the lead department or the lead agency using national defense dollars for these purposes.

The reason I say that is that we see the defense budget being reduced year after year after year. This year we had an allocation of only \$240 billion, or thereabouts, \$240.4 billion to be exact, allocated to our committee under the 602(b) budget allocation procedure.

If we, right off the top of that, subtract the funds needed for all of these other activities, these so-called new initiatives, and all the rest that the new Defense Department is embarking upon, that are new financial obligations, you would reduce by about \$5 billion the amount available for military functions. Instead of being able to build a ship or to train our fighting forces, or to equip them with the equipment needed to protect themselves when they are in combat, or do the traditional military things that make us a capable and competent nation from a security standpoint, we are adding to the problems we already have given our military commanders, who are having to already make do with less. We are adding to the problems of the administrators of the defense programs because we are further eroding the buying power of the defense appropriation dollar with new initiatives that are not traditionally, and should not now be, the responsibility of the Department of Defense.

I am suggesting these items be included in an amendment to strike next year, which I may very well offer to give the Senate an opportunity to express itself on this issue. Why not have the new meals, ready-to-eat vegetarian MREs designed to help those who have special dietary problems—because of natural disasters or famine—why not have those prepared by the Department of Agriculture?

We have a Food-for-Peace Program that was started back in the 1940's. It is now called the Food for Progress Program. Why cannot that be funded through the Department of Agriculture? All of the other food assistance programs are funded in that way. Why have the Defense Department assume this new responsibility?

I presume DOD has been authorized to do this, but I do not recall any discussion about any such authority—new authority for the Department of Defense to provide food aid with specially packaged food products.

If we embark on this entire new scheme of using defense personnel and defense dollars in nondefense activities, we are going to continue to put more pressure on our military forces and make it that much harder to respond to legitimate security threats, and to deal effectively with aggression wherever it may occur that threatens our security interests. That is the point.

I am hoping that we look carefully next year as we proceed through our bill, and ask our ourselves questions such as, why is there an Urban Youth Program funded in this bill? Why is there a Youth Conservation Corps program funded in this bill? Why should we provide up to \$1 billion a year, which I am told will be needed for all these new initiatives? From 1995 to 1999 I am advised that the Department of Defense will be asking this subcommittee to put in its bill approximately \$1 billion a year to continue the new initiatives program.

There is a foreign assistance program and an agency for foreign assistance at the Department of State, appropriately so. There are diplomatic offices all over the world helping to extend the policies of the United States through diplomatic channels by Foreign Service officials whose responsibility it is to help build democracies and to help encourage democratic reforms and the establishment of compatible forms of government. That is a function of the Department of State, not the Department of Defense.

We do not need a Secretary of State within the Department of Defense to carry out a duplicative kind of program that costs \$1 billion a year. So I am concerned, and I know others are, and I know the chairman of the subcommittee is. Under his leadership, and the leadership of Senator STEVENS, this subcommittee has said "no" to some of this.

If you look on page 99 of this subcommittee's report:

Promotion of Democracy. In keeping with Senate action on the 1994 Defense authorization bill, the committee denies funding for this program.

I congratulate and salute the leadership of our subcommittee for this decision.

Peacekeeping. The committee has denied funding any unidentified peacekeeping costs requested by the Department.

So what you are seeing is the Department and the administration, in its budget, has requested funding for an open-ended peacekeeping function. But this subcommittee said no.

Nonetheless, there are some identifiable peacekeeping expenses that are funded in this bill, and we need to ask the question: How much of this is really defense activity? How much of this is really military activity?

Here is something called disaster relief in the report. We do provide, for ex-

ample, in this bill for \$45 million. What we do each year is provide to a cash reserve fund, a defense emergency response fund, money to be used in natural and other disasters by the Department of Defense to respond—as it is called on to respond—in those situations. Cash balances, according to our report, available for disaster relief amount to \$95 million. So we technically are reducing that fund by \$50 million. It is another example of additional activities that are not really military activities which our military forces are required to carry out.

Here is a provision in the report on the same page for humanitarian assistance. For humanitarian assistance, there is \$48 million in this bill. I might say that the administration did not really request that in its budget. It was added to provide Kurdish relief in the Middle East. We cannot argue with the need. We cannot argue with the fact that we would like to respond in a sensitive way. But I worry that it is being taken from the money that is allocated in the budget to defense. That is the point.

We go through this allocation process of deciding how much goes to non-defense activities in those areas under the jurisdiction of the subcommittees, and how much goes to the Department of Defense under the jurisdiction of this Subcommittee on Defense Appropriations; and we are all given a limited amount of money—\$240 billion this year for this subcommittee. And then, we are requested by the administration, and we appropriate, almost \$5 billion out of that limited allocation for purposes other than defense.

Look at the first sentence of our report—and we ought to be guided by this, and I know others on the subcommittee, including the chairman, agree with me on this. Our purpose is well stated in the first line of this committee report. It reads:

The purpose of this bill is to make appropriations for the military functions of the Department of Defense.

We are getting pushed, we are getting pressured, and we are condoning the spending of funds for nonmilitary purposes at the Department of Defense. I hope as we approach the bill next year, we take a harder look and we do what we have done already in some parts of this bill and "just say no."

Mr. INOUE. Mr. President, will my distinguished colleague yield?

Mr. COCHRAN. I am happy to yield to the distinguished chairman.

Mr. INOUE. Mr. President, the matter that is being discussed by the Senator from Mississippi is a very important one. It is true that we are spending more than \$5 billion in defense funds for activities which are not traditionally military. Unfortunately, these funds are being taken out of operation and maintenance—the very source of funds that are necessary to maintain

the readiness of our troops. This is where moneys for unit training, division training, brigade training will be found. This is where funds for gasoline will be found. This is where funds for health are found.

In the last 3 years, we have had a reduction in O&M funds, a steady drawdown of funds. But the activities that the Senator from Mississippi speaks of have been going up, while the rest of the O&M account has been going down. And the matter that the Senator has brought to the Senate's attention, I believe, requires not just casual study, but intensive and serious consideration.

For example, the bill before us includes \$2.2 billion to clean up bases that we have just closed. Mr. President, I think we should keep in mind that this is just the beginning. We estimate very conservatively that to clean up the bases we have scheduled for closure—as most of the bases have not closed yet; they are scheduled for closure—will cost in excess of \$25 billion. And unless something is done, this will come out of the operation and maintenance fund.

In addition to that, we are appropriating \$2.1 billion in this bill to clean up, environmentally, the bases that are operational at this moment. So for activities that could very well be under the auspices of the Environmental Protection Agency, defense funds are being spent for \$4.3 billion.

So I can pledge to the Senator from Mississippi that I will do everything possible to bring this matter to the highest authorities of our Government, to determine whether we can come out with a much more rational distribution of funds. I realize that there are gray areas, but there are some that are precise.

For example, why should defense now be saddled with the cleanup of bases that are no longer theirs? They are closed. They are now going to be passed on to cities and to States and to private citizens. I think that should be the responsibility of the EPA.

So the Senator has brought up something that has concerned me for some time now, and I can assure him that we will do something about it.

Mr. COCHRAN. Mr. President, I thank the distinguished manager of the bill very much. I offer him my cooperation and assistance in helping to identify ways to ensure that the purpose of this bill is carried out, and that we make sure that the scarce funds that are allocated for defense, as we are downsizing the military, are used only for military purposes.

I yield the floor.

Mr. CRAIG. Mr. President, I am pleased to see that the Senator from Nevada is still on the floor, because I might want to engage him in questions in a few moments in relation to a sense-of-the-Senate amendment that he has just brought before the Senate.

This is an amendment of considerable concern to me, and it should be to all of us who are concerned about readiness and defense. I say that because this amendment has the potential of having substantial impact on the readiness of the Air Force as it relates to a new mission that is well underway and that aircraft are arriving for at Mountain Home Air Force Base in Idaho. I am talking about the new composite wing.

I know what the Senator from Nevada is attempting to do, but I also know the Duck Valley Indian Reservation very well. I am on it at least once a year. I meet with these Indians because most of them come my way into Idaho to do their commerce. As a result, although they are not constituents of mine, they are certainly economic constituents, and we have a working relationship.

The relationship the Duck Valley Indian Reservation has had with the Air Force and the existing airspace that would be potentially impacted by what the Senator from Nevada is attempting to do in his sense-of-the-Senate resolution is a relationship that has been going on since World War II. It is not new, nor is it different in the fact that there are and have been for a long while low-level flights over portions of the Duck Valley Indian Reservation as it relates to the Sailor Creek Bombing Range that is a good many miles away from that particular reservation.

But it is of concern, as we talk about the new composite wing and a potential new training area and us allowing our Air Force to be ready to be allowed to make certain types of sorties, and these are mostly all electronic, but they do require low-level flights for purposes of readiness.

FAA is our national caretaker of the airspace that we are talking about here. I see that the sense-of-the-Senate resolution deals only with military flights. Of course, they are the most abundant of the flights of that area, but it is in a national airway. There is substantial overflight of the reservation, partly because of its size. It is a fairly sizable piece of property. Yet I think that the Reid amendment could circumscribe current codified methods of restricting current airspace access through the FAA.

Do we want to do that? Are we going to start arbitrarily stepping out with a variety of national reservations or restricted areas that we have in our country for certain purposes and suggest that each one has a unique and separate air floor as it relates to certain types of flights that might occur over the airspace of that particular reservation, whether it is reservations of native Americans, whether it is a wilderness area, whether it is a national park?

If we were to do that, we are talking about literally hundreds of millions of

acres of land, and especially in the States where I come from and where the Senator from Nevada comes from, in the Great Basin area of our country, which is one of those areas of the last remaining open spaces that the Air Force finds extremely desirable, and appropriately so, to do their training and practicing. Because it is not congested with the commercial flights of a Los Angeles or a San Francisco or a Denver, or other areas that are becoming increasingly congested.

Interestingly enough, I know the Senator from Nevada and certainly I have been very enthusiastic in promoting that the Air Force and the Navy remain in our States because we are States of open spaces, because our ability to offer them appropriate training airspace is much more abundant than other States.

Of course, when we talk about base closures and those kinds of considerations, one of the reasons that Mountain Home Air Force Base, that this affects—by the way, it does not affect an air base in the Senator's State; it affects an air base in this Senator's State.

But that is why we were able to convince the Base Closure Commission that the Mountain Home Air Force Base in Idaho was one that ought to receive new missions, because it had phenomenal airspace and air quality, and we could expand the roles and not infringe upon the rights or the airspace of others.

This is an issue that I think is extremely important and ought to be considered in this debate. This ought not be just an up-or-down, easy kind of thing, one-person debating, that it is not of importance to anyone else, because it is of importance to a major and growing air base and a mission and the ability of airmen to perform that mission under the appropriate training conditions. That is part of what is in this debate.

Now, I will tell you that coupled with this expansion of a training range and a current training range is an ongoing process today, and we all know what it is. When we use public lands and we change the nature of the activity going on on those public lands, NEPA requires us to do an environmental impact statement. That environmental impact statement is underway. The Indians of the Duck Valley Indian Reservation have been consulted in that. The Air Force, by their open admission, have a working relationship with the Indians of Duck Valley and will continue to expand that working relationship.

I, the Governor of the State of Idaho, and others, have encouraged them to do so. The reason we do that is because it is important to recognize as you expand or change the nature of use of public lands, you recognize not just the environmental impact but the people



impact that the Senator from Nevada is addressing today in his sense-of-the-Senate resolution.

One of the things that is interesting and important to the record is Mountain Home Air Force Base is in the Second Congressional District. For 10 years, I represented the First Congressional District so I did not have a lot of direct relationship with this air base. But having become a U.S. Senator, representing the entire State, that relationship has developed over the years.

One of the things that I thought I might start receiving once I became a Senator were phone calls and letters from Idaho citizens who found their lives impacted in a negative way by the presence of the air base, by the overflight, by the kind of training that has to occur by the nature of the mission of the base. Now I have been a Senator for 2½ years, and not once during that time have I received a call from a constituent suggesting that overflights or low-level flights were a problem to themselves or to their families.

There were only three complaints made to the base commander last year, and the base commander immediately moved to solve the problem.

What I think Senators ought to understand is that our Air Force is doing exactly what we want them to do. They are being extremely good neighbors to the Indians, the citizens of the State of Nevada, the citizens of the nation of the Duck Valley. They are being what we want them to be and what we constantly told them to be.

They search out areas where there are little inhabitants for their training flights, and their practices are within the confines of the airspace that they are already limited to.

What the Senator's amendment has the potential of doing—and I say that because it is a sense of the Senate, and I understand that—is funneling forces over limited routes, a 10-nautical-mile gap, if you will, to the training range, creating undue congestion and possibly risking pilot safety, craft safety, all of those kinds of things that now need not be worried about by our airmen as they fly their missions over the current ranges that are available and the expanded ranges that are more than likely to occur in the next few years with the expansion of the mission itself and more aircraft coming on board.

I want to work with the Senator from Nevada, and over three times in the last 3 weeks I told this to the Senator, that I will work with him after we get an environmental impact statement, but let us see where the Air Force wants to go first. We now know they are good neighbors. The facts are there. I do not think the Senator checked those facts, but we did check those facts, and we have ongoing relationships with this air base, and they move very, very quickly to solve any kind of problem that occurs between them and

the civilian population. They have a phenomenal reputation in that area.

Can we not wait until we have an environmental impact statement? I have tendered in good faith to the Senator from Nevada a very cooperative relationship to assure that the citizens of the nation at Duck Valley are properly treated.

Those are the issues at hand. Those are some of the things that we ought to be concerned about when we consider this kind of an amendment.

It is not just of light impact. It has the potential of tremendously restricting the capability of an air base with an expanded mission, a mission that we found extremely valuable in Desert Storm. In fact, it was the mission's concept that grew out of Desert Storm, the mission's concept of a composite wing. Instead of taking weeks and weeks to assemble a composite wing ready to go in harm's way, we now, as a nation, decided that we would assemble one in peacetime to be trained.

Mountain Home Air Force Base was one of those areas selected to be the home base of the composite wing. And the Duck Valley area and parts of Nevada and parts of eastern Oregon and parts of Idaho became the training range, out on the edge of the Great Basin Area of the Western States, for this new mission.

So I think it is important that the record show that this is an issue of great importance, not something to be taken lightly.

That 15,000 feet is a phenomenal floor, and clearly unnecessary, even over inhabited areas. But we ought to be sensitive to inhabited areas, and the Air Force is.

The Senator, by his own admission, recognizes that even cities today across this country would not inflict this kind of a floor in airspace for our Air Force. And yet they respect metropolitan areas; they fly around them; they fly high over them. And this is what they tried to do in cooperation with the Duck Valley Reservation.

So let me close by suggesting that there is an EIS being worked out today that will be out for public reaction in the very near future. But clearly the congressional delegation from Idaho has continued and continues to extend full cooperation to the Senator from Nevada so that we can work cooperatively together.

It is highly possible that, with this expanded training range and its capabilities, airmen stationed in his State of Nevada will want to come north to Idaho and northern Nevada to use this training range. It is a national asset.

The Air Guard in Idaho immediately called me when they heard of this concern, because they will be the ones that will be the ultimate managers of the training wing, and they will be the ones faced with the complexity of trying to deal with a very irregular air-

space if the Congress chose to enforce this kind of a sense and the Air Force felt it necessary to comply with it.

Well, I believe those are the facts. I think it is important that the record show that there is potential for tremendous impact to current and future missions and our readiness, and that we need to be very careful in our risk of setting precedent that we would arbitrarily choose overflight floors of airspace over restricted areas of this Nation when we have agencies that, through the public process today, reach out and make those determinations that are appropriate and adequate, both for military and commercial air flights.

And that is where this issue ought to rest, consistent with what we see our mission to be, consistent with the national purpose, consistent with the citizens of Duck Valley Indian Reservation and what may or may not be sacred land, but what clearly is their right as a nation. Those are all important things.

The environmental impact statement soon to be out will talk about the sensitivity in low-level flights to wildlife. We are concerned about that. We are not breaking out windows. We want to be concerned that low-level flights do not impact the mountain sheep that are out there, the sage hen that was talked about by the Senator from Nevada—the sage hen, by the way, that is increasing rapidly in numbers in the very flight areas that the Senator has talked about. Nevada Fish and Game and Idaho Fish and Game argue that those numbers have increased.

It was not a relation to low-level flights. The numbers declined several years ago as a relation to coyotes and predation, not in the air but from the ground.

And we also know that on other air bases—and certainly the Senator from Nevada has numerous training ranges across his State, and I notice that he chose not to put limits on any of those—but wildlife, under certain circumstances, can and does abound on those training ranges, unless they are where actual live bombing goes on, and we have decided to sacrifice certain areas for that purpose.

But that is not the kind of training range we are talking about here. We are talking about primarily—and, with the expansion of the range, almost exclusively—electronic activity, which is the nature of the current and new training technique.

Well, I believe it is important that we expand our understanding of the Senator's amendment. It is not just a simple approach. It is an increasingly complicated problem. It does bind the hands of an Air Guard in Idaho and in Nevada. They will use this range in time. Some of them do today. It could well bind the hands of an expanded mission at the Mountain Home Air

Force Base, a mission that this Congress sees as increasingly valuable to the readiness and the defense of this Nation.

It is with those concerns that I offer this information today.

You know, I honestly do not know whether I ought to oppose this amendment. But I do think this Senate ought to be very, very cautious in arbitrarily—and I repeat, arbitrarily—choosing, across this Nation, flight floors on certain kinds of reservations instead of allowing a process that is well-defined today—and that is underway, in this instance, today—but is being prejudged by the Senator from Nevada.

Those are really the issues at hand here, important issues that I think this Senate needs to deal with.

I yield back the remainder of my time.

**THE PRESIDING OFFICER.** The Senator from Hawaii [Mr. INOUE].

Mr. INOUE. Mr. President, I rise at this moment in my capacity as chairman of the Senate Appropriations Subcommittee on Defense, and also as chairman of the Senate Committee on Indian Affairs, because I believe that this issue touches upon my responsibilities as chairman of these two respective committees.

I would like to congratulate my colleague from Nevada for bringing this matter to the attention of the Senate. I believe that the approach he has taken is a reasonable one and is deserving of the support of this body.

Accordingly, if I may be permitted, I would like to ask that my name be added as a cosponsor of the amendment.

Mr. President, this amendment does not mandate the U.S. Air Force to do anything. This is a sense-of-the-Senate amendment. All it says is that we Members of the U.S. Senate call upon the Air Force to consider the concerns of the Shoshone/Paiute Tribe; just to listen to them and take into consideration their concerns when plans are made for flight training. It does not say that the Air Force must stop.

Mr. President, I am concerned about readiness, concerned to the point where I have consistently supported men and women in uniform to a point where my constituents have questioned my loyalty to my State.

The State of Hawaii is one of very few where we permit the military to drop ordnance—bombs. We have firing ranges. We have target ranges where we permit our Air Force to drop bombs, and we permit our artillery men to shoot the heavy cannons. You do not see this in other State.

But, in order to maintain the readiness of our force, the people of Hawaii have said, "Yes; even if these grounds are sacred, we would permit this." In fact, until recently, a whole island was a target island, an important island.

We took the people out of that island to permit the bombing. So I take no

back seat when it comes to maintaining readiness of our forces. I believe the people of Hawaii have stood tall in this area.

In this case, if I may now put on my cap as chairman of the Indian Affairs Committee, a little background might be necessary to understand our relationship with Indian people.

Although it is very difficult for most Americans to comprehend this, Indians are sovereign. The Constitution of the United States recognizes the sovereignty of Indian nations. Our Founding Fathers, over 200 years ago, were very sensitive to this. The laws of the United States have repeatedly upheld this constitutionally. And, as part of the constitutional relationship between our Government and the many governments of Indian nations, we entered into 800 treaties with Indian nations—albeit most of these treaties were forced upon the Indians. They had no choice. Most of these treaties had guns backing them up. But they were treaties between one sovereign, the United States, and the other sovereign, the Indian nation—800 treaties.

These treaties were presented to our predecessors in the U.S. Senate because the law says it must be ratified by the Senate. Of the 800 treaties, 430 were ignored by this body. Our predecessors ignored these treaties that were signed by the President of the United States. But we insisted that the Indians live up to their commitment. We ratified 370. Of the 370 treaties we ratified, we violated provisions in every single one of them; every single one. We were consistent.

These treaties are sacred documents. We have had treaties with France and Germany and Japan and Israel and all the countries of the world. Today we insist upon the sanctity of these treaties, and we criticize countries that might violate provisions in them.

The treaties were, for the most part, documents that involved land. Keep in mind that at one time these lands that we call the United States of America were owned by the Indians. They were here long before we came along. But because of the might of the United States and because of the generosity of the Indians, they decided that 500 million acres of land would suffice for their tribes. So these treaties were drafted.

I hope some of my colleagues will take the time to read some of these treaties. They are beautiful documents.

As long as the Sun rises in the east and sets in the west, and as long as the waters flow from the mountains to the rivers, this land is yours.

That was 500 million acres of land. Today the Indians own less than 50 million acres of land. Somewhere along the line we found gold in some of these lands, we found oil in others, and at gunpoint we took it away.

At one time, anthropologists say, there were over 10 million Indians re-

siding in these United States. Today we have less than 2 million.

These statistics are significant because in every other ethnic group there is an increase. In any other ethnic group there is an increase. Only with the Indians there is a decrease. I would not want to reiterate the history of our relationship, but it is a messy, miserable, shameful chapter in our history.

In the case we are discussing now, the Shoshone-Paiute, these lands that they have were forced upon them. They are not lands of great color and great foliage. These were the leftover lands that no one else wanted at that time, and we told the Shoshone-Paiutes: Go there. And they have been living there for nearly 150 years. But in that period they have cared for the lands. They have buried their ancestors. They have established their religious centers, and certain sites have become sacred, just as we build cathedrals and synagogues and mosques in the United States. All it says here is that, "In that small strip of land, we would like you to consider our concerns when you make your flight patterns."

I do not think they are asking for too much. I cannot imagine the Air Force buzzing the National Cathedral. It is unthinkable. Or buzzing the city of Washington. We make flight patterns for that purpose. That is all they are asking for. They are not saying, and we are not telling the U.S. Air Force, "You may not fly." We are saying, "Listen to the Indians. Listen to their concerns."

I think that is a reasonable approach. I say reasonable because originally the Senator from Nevada, for good reasons, had drafted a bill that would have mandated and required the Air Force to stop their flying. I suggested this might affect the readiness of the Air Force and it might concern the placement of the base. So he came up with this most reasonable compromise, just to make certain that our Air Force would sit down with the Indians and seriously take into consideration their concerns.

I hope the U.S. Senate will unanimously adopt this, because what is involved here is a very sacred trust. Because of the sovereign nature of Indians, because of the treaties we have adopted with the Shoshones, there is an important trust relationship that exists between the Indians and the Government of the United States. We are part of the Government of the United States. And that trust relationship says, because you have given us all your lands, because you have sacrificed all your sacred lands, we will make certain that you can live a good life on this land. I think there is a treaty obligation involved in this.

So I hope the United States Senate will consider this and give this unanimous support. I can assure my colleagues, as chairman of this subcommittee I would oppose any move on



the part of any Senator that would jeopardize the readiness of our forces. This is a pledge that we have made in this committee. And I do not believe that this amendment in any way will jeopardize the readiness of our forces.

I am certain that after discussions, decisions will be reached where training can be held, low-level flying can be held, because there is a lot of acreage of uninhabited areas.

This may appear to be a very simple amendment. This may appear to be just a sense of the Senate, but I agree with the Senator from Idaho, it is an important amendment because it involves our relationship with sovereign people. It involves our trust relationship, and it involves treaty obligations. I think it is about time we did something right as far as our relationship goes.

A final word. Because I am chairman of the Defense Appropriations subcommittee, I would like to put a footnote because today we speak of men and women who put on the uniform to stand in harm's way in our behalf. Throughout our history, millions of men and women have done that. A footnote of statistics: Of all the ethnic groups in the United States, whether they be German, Irish, Chinese, Vietnamese, or what have you, on a per capita basis, more Indians have put on the uniform of this country of ours and more Indians have given their lives for the people of the United States.

It is a strange thing, with all the misery and with all the mistreatment, they love this country.

The least we can do now is to show our concern and our love for them. So I hope that we can support this measure.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Nevada [Mr. REID].

Mr. REID. Mr. President, I want to extend my appreciation to the Senator from Hawaii for joining in this sense-of-the-Senate resolution and especially for his profound remarks relative to the history of the native Americans with this body.

This sense-of-the-Senate resolution says as follows:

(a) the Secretary of the Air Force consider the comments of the appropriate representatives of the Duck Valley Reservation of the Shoshone-Paiute Tribes in making decisions on use of airspace above such reservation,

(b) the interests of the Duck Valley Reservation of the Shoshone-Paiute Tribes receive the appropriate consideration under any pending or future National Environmental Policy Act process involving airspace over Duck Valley Reservation, and,

(c) to the extent practicable, airspace used for military training flights below 15,000 feet above ground level over the Duck Valley Reservation shall be over uninhabited areas of the Reservation.

It is as simple as that. Certainly, as the Senator from Hawaii, the manager

of this bill, said, this is not going to jeopardize training. All it does is have the Air Force sit down and talk to the native Americans and get their input. That is not asking too much. We owe that to those people.

As far as my friend from Idaho saying that there are bases in Nevada, of course there are bases in Nevada. The finest naval training flight facility in the world is at Fallon. The greatest air fighter, air training facility in the world is at Nellis Air Force Base. But frankly, Mr. President, my friend was wrong. There are many restrictions flying out of Nellis and flying out of Fallon, as far as where they can go, what they can do. We are not asking for this. We are asking the Air Force to sit down and talk. It is reasonable. It should be done.

I hope, as my friend from Hawaii said, that everyone in the Senate will vote for this.

Parliamentary inquiry. Mr. President. It is my understanding the yeas and nays have been ordered on this matter, and it is also my understanding that the votes are going to be Monday; is that right?

Mr. INOUE. Mr. President, if the Senator will yield, I ask unanimous consent that at the hour of 7 p.m. on Monday, the Reid amendment will be the first amendment to be voted upon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I would like to take a little time this afternoon to extend my thanks to the Senator from Nevada [Mr. REID], and the chairman of the Defense subcommittee, Senator INOUE, for putting language and dollars into this bill that will allow the National Guard to be used to bolster our understaffed border patrol.

I first wrote to Attorney General Janet Reno on June 29 and asked her to look at the possibility of utilizing the National Guard in this capacity. Then on August 17, I traveled with Attorney General Reno and Senator DIANNE FEINSTEIN to the Mexico-California border to be briefed by officials on the problem, to view this problem myself and to speak with National Guard personnel who were assisting in the drug enforcement area.

What I saw when I got there were hundreds and hundreds of people waiting to run across the border from Mexico into California. What I was shown there were thousands and thousands of forged documents which are used by the smugglers.

Then on September 22, I met with Maj. Gen. John Conway of the National Guard bureau and talked to him about devising a plan, modeled after the current counterdrug program, that would supplement our border patrol with National Guard men and women.

Today, again, I want to thank Senators REID and INOUE for working with me to include funding for this important provision in the 1994 Defense Appropriations Act.

We need to be clear when we are talking about the issue of illegal immigration. It may seem like restating the obvious, but when we talk about stopping the influx of undocumented immigrants, we are not talking about restricting legal immigration. There is a difference between illegal immigration and legal immigration. I, myself, am a first generation American on my mother's side.

I know that this Nation was built upon the dreams of immigrants who traveled here from all over the world. I know that immigration is what makes this Nation great; it is what weaves together the fabric that we call America.

We need to shed the extreme rhetoric on both sides of this illegal immigration debate and focus on the issue at hand. The issue is enforcement of our laws. We already know that the illegal immigration problem is a critical one, and the Congress has enacted comprehensive laws to address it. These laws are clear, and today I am offering a plan to strengthen our ability to enforce them.

For over 100 years, the Federal Government has had control over U.S. immigration policy. These policies are written, administered, and funded by the Federal Government with the understanding that immigration has critical implications for our economy and our national security.

In 1952, we passed the Immigration and Nationality Act and created the legal framework of our current immigration system. Chapter 12 of title VIII governs immigration and nationality and makes it perfectly clear what is legal and what is not. This chapter specifically identifies the conditions for entering the United States, conditions for working and remaining here, and conditions for becoming a citizen.

More recently, the Immigration Act of 1990 established new guidelines for those individuals who legally enter this country. We have set up a system where the vast majority of those who may enter are family members seeking reunification with other family members.

By placing family reunification at the centerpiece of our policies, we are saying a lot about the family friendly nature of our immigration laws. We are saying that families are the foundation of a healthy nation; that they serve as buffers to help ease the cultural and psychological transition that often accompanies immigration, and that they provide the critical support that enables our immigrant children to contribute to the work force, reach beyond their grasp and live the American dream.

To preserve legal immigration and all its contributions, we must also recognize and respond to the challenges and difficulties posed by illegal immigration. In 1986, after more than 15 years of concern and deliberation, Congress passed the Immigration Reform and Control Act. The expressed intent of this act was to stop the influx of illegal immigrants, regain control over our borders and ensure that U.S. jobs continue to go to U.S. citizens and to those who are legally here.

Acknowledging that the most common reason for illegal entry into the United States was the prospect of work, Congress instituted employer sanctions as an essential enforcement mechanism to curb illegal immigration.

Specifically, the Immigration Reform and Control Act of 1986 makes it "unlawful for a person or other entity to hire, or to recruit or refer for a fee, for employment in the United States an alien who has not entered the United States legally or whose immigration status does not permit employment."

Mr. President, the act makes the point perfectly clearly. Employers should not be able to use one hand to take jobs away from U.S. citizens and those who are here legally and the other hand to entice illegal immigrants toward work that is often exploitive. We do not need to go any further than the San Diego border to realize we haven't provided the resources needed to back up these laws. Just look at the statistics. Every night of the week, the San Diego Border Patrol unit apprehends up to 2,000 illegal immigrants, and an estimated 3 million people illegally cross the United States-Mexico border each year. Between 200,000 and 300,000 of these entrants become permanent inhabitants. By some estimates, California is home to approximately 1.3 million illegal immigrants, more than 50 percent of all the undocumented immigrants living in America.

We must understand that our laws do not mean anything if we do not give the Immigration and Naturalization Service [INS] the tools it needs to effectively enforce those laws.

On August 4, 1993, the House Committee on Government Operations issued a report highlighting enforcement deficiencies at the INS. I wish to read just a few sentences directly from this report:

The enforcement functions of INS have suffered substantially from the failure of the executive and legislative branches to provide adequate staff to do the job. Despite increases in funding for the Border Patrol, the portion of Border Patrol agent time devoted to Border Patrol activities actually decreased from 71 percent to 60 percent between 1986 and 1991. In the opinion of the General Accounting Office, the border patrol has "lost control of the southwest border in part because of staffing shortages."

We must listen to those who are on the front lines. We need to listen to

Gus DeLaVina, the chief of the U.S. Border Patrol in southern California. This past Monday he was quoted in the San Diego Union as saying, "I could guarantee 90 percent control of this border if we had the proper backup."

Congress has studied the problem, heard the experts, listened to the people who are on the lines. Now it is time for us to offer innovative solutions to strengthen the enforcement of our laws.

As I explained on July 29, when I first offered my plan, the National Guard is already utilized for purposes ranging from national disaster relief to drug interdiction and from customs operations to local law enforcement. We now have the opportunity to put these fine men and women to work helping our Border Patrol officers stem the flow of illegal immigration. We know that our Border Patrol officers are spread too thin. In California, we only have 200 Border Patrol agents patrolling the 200-mile border at any given time. As of September 18, nationally we had 3,993 Border Patrol officers; 1,247 of these officers were assigned to California.

But, when we look at the activity breakdowns of our Border Patrol agents, we find that far too few of them are actually assigned to interdict undocumented immigrants.

We know that we need to expand the capability of our Border Patrol. In an ideal world, we would simply increase the number of those officers. But, we all understand the budgetary constraints facing America today. We know that we need to reinvent Government and find ways to do more with less. By utilizing the National Guard as a force multiplier to the Border Patrol, we will be able to do just that.

Our Counter Drug Program offers an instructive model for the pivotal role that the National Guard could play in stemming illegal immigration activities.

Many have asked me, "Senator, what do you think the National Guard could do?" While it will eventually be up to the Governor to offer a specific plan on what they would do, I want to give you some of the elements that I believe should be included in the Border Patrol Program.

First, separate letters from a State's Governor and Attorney General should be submitted to the Secretary of Defense. These letters should confirm that they have reviewed the submitted plan and found it to be in compliance with State law.

Second, each State should specify the specific mission it wants the Guard to perform. In the Counter Drug Program the Guard has provided ground reconnaissance and surveillance, aerial reconnaissance and surveillance, aerial photography, aerial interdiction, cargo inspection, aerial transportation, maintenance support, training, and ad-

ministrative support when this support would free up someone to perform their law enforcement duties.

The Guard could fill many of these roles in their efforts to supplement the Border Patrol. They could offer administrative support and free up those officers who are now behind a desk to get to the border where they are needed. They could provide engineering support like building fences. They could map the border. They could offer transportation assistance for prisoners.

Again, we have Border Patrol agents, Madam President, who are supposed to be on the border to stop illegal immigration, but they are driving a carload of illegal immigrants back to the other side of the border. They could be relieved by a National Guard driver.

They could perform cargo inspections in order to detect the illegal immigrants who are smuggled here in the back of trucks, and they could survey and monitor the border at both check points and noncheck points.

In each of these roles, they are serving as force multipliers, freeing up our Border Patrol officers to more effectively do their jobs.

Third, a State's plan should detail the cost and the number of people assigned to each mission.

Fourth, the plan should clearly delineate the Border Patrol's strategies, goals and objectives and include a memorandum of understanding outlining the cooperation needed between the National Guard and the Border Patrol in order to meet these goals.

Fifth, there should be a clarification of the chain of command.

And sixth, there should be a statement outlining the parameters of the Guard's authority.

While including the 6 points that I have outlined today, the BOXER National Guard plan must give the States the opportunity to design a program to make it work. As California debates these questions, it is critical for us to work together and devise solutions. That is why I am calling for the formation of a working group involving my staff in California, Senator FEINSTEIN's staff, the San Diego Members of Congress, the Border Patrol, the National Guard and appropriate Federal agencies. It is my hope this group will be able to help California create a plan that supplements our Border Patrol, helps California control her borders, and thus restores the confidence of Californians that illegal immigration is under control.

Madam President, in conclusion, I wish to again thank the chairman of this subcommittee for being so helpful to those of us who are confronting this problem of illegal immigration. Certainly, everyone knows that he and I and those of us who are moving forward with this proposal realize the great value of legal immigration. But, at the same time, we realize that there



could be a tremendous backlash against legal immigration if we do not stem this flow of illegal immigrants into our country.

I believe that as we move this proposal forward, allowing the Governor of our State and any other State that wishes to use the National Guard to draw up a plan with those of us who are interested in it and work together, we will see that we can turn the tide on this problem and once again people in this country will have confidence that we have control over our borders and over illegal immigration.

My thanks again to Senator REID and Senator INOUE.

I yield the floor.

Mr. INOUE addressed the Chair.

The PRESIDING OFFICER (Mrs. MURRAY). The Senator from Hawaii.

Mr. INOUE. I thank my dear friend from California. I wish to commend and congratulate her for bringing this matter to our attention. As a grandson and a son of immigrants, I am a bit sensitive to immigration, and I believe that her proposal is right on target.

I appreciate that very much.

Mrs. BOXER. I thank the chairman very much. I am, too, a daughter on my mother's side of a first generation American. My father was the only one of nine children born in America. I know the greatest of our country is this fabric that we put together. But if we do not control this illegal problem, we are going to see an immense backlash.

I again thank the chairman for his kind words.

#### ORDER OF PROCEDURE

Mr. INOUE. Madam President, I ask unanimous consent that the consent that was granted on the Reid amendment be vitiated.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. INOUE. Madam President, I have several measures that have been cleared and approved.

#### AMENDMENT NO. 1046

Mr. INOUE. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside, and the clerk will report.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUE], for himself, and Mr. STEVENS, proposes an amendment numbered 1046.

Mr. INOUE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 12 of the bill, line 27, after the word "installations", insert the following: "Provided further, That of the funds appropriated under this heading, \$1,000,000 shall be made available only for use by the Office of the Secretary of Defense for the exploitation

of captured Iraqi Government documents relating to the Kurds and other minorities of northern Iraq: *Provided further*, That the funds in the preceding proviso may be made available for personal service contracts of Arabic-language linguists and may be exempt from competitive bidding requirements: *Provided further*, That of the funds appropriated under this heading, \$1,000,000 shall be made available only for the Defense Mapping Agency to evaluate and procure available imagery photographs and materials from successor states of the former Soviet Union: *Provided further*, That the Director of the Defense Mapping Agency shall report to the congressional defense committees the availability of such imagery materials, priorities for acquisition and the process for the dissemination of such materials to Federal agencies, State and local authorities, academic institutions, and the private sector not later than March 15, 1994."

Mr. INOUE. Madam President, this amendment relates to Iraqi documents that were captured during Operation Desert Storm. These documents relate to the Iraqi treatment of Kurds. It also relates to the Defense Mapping Agency and the use of photographs that were taken over the old Soviet territory.

I hope that the Senate will agree to the amendment.

Mr. STEVENS. Madam President, I am, too, pleased to support this as a cosponsor of this amendment by the Senator from Hawaii.

It has only recently come to my attention that the imagery photograph documents available through the Russian and Soviet archives are now being made available, and some of them I think will have substantial interest in our State and local governments because they are images that were taken by the Soviets in the days that they were preparing to be our aggressor. But I am led to believe they are very high quality. They are a type of information particularly taken from the perspective of the Soviet satellites that would be of great interest to our people.

So I am pleased to join my friend. I thank him for being willing to include that portion of this amendment also.

#### IRAQ SECRET POLICE DOCUMENTS PROJECT

Mr. PELL. Mr. President, as the Senate debates the Defense appropriations bill, I would like to take a moment to discuss an ongoing project of tremendous interest to the Senate.

To summarize briefly, shortly after the conclusion of the Persian Gulf war, the Kurds and other minorities in northern Iraq rose up in rebellion against Saddam Hussein. Though the rebellion was defeated, the Kurdish leadership managed to secure vast quantities of files from Iraqi secret police headquarters. These documents paint an extraordinary and undeniable picture of efforts by the regime under Saddam Hussein to commit genocide against the Kurds.

The Kurdish leadership, in cooperation with the U.S. Department of Defense, arranged to have the documents transported to the United States. Two

such transfers have occurred—the second just this past August—and there are more than 18 tons of Iraqi secret police documents in the United States.

These documents are currently being translated, sorted, and cataloged by a group of researchers from Middle East Watch, an independent human rights organization, and the U.S. Department of Defense. The purpose of this research is twofold: First, the documents will be used as evidence against the Saddam Hussein regime for war crimes or crimes against humanity; and second, they will be used as source material for historians and scholars of Iraq.

Mr. President, I note the presence of the distinguished chairman of the Senate Foreign Relations Subcommittee on Near East and South Asia, Senator MOYNIHAN. I know that Senator MOYNIHAN has a keen interest in this project and I wonder if he would like to comment?

Mr. MOYNIHAN. I thank the distinguished chairman of the Foreign Relations Committee, Senator PELL. I have followed this project with great interest indeed, and would add to the chairman's comments only a word or two about the significance of the documents and the work of the researchers.

First, these documents will provide the core of an approach to the behavior of Saddam's regime—that Saddam Hussein has engaged in criminal conduct. His activities are violations of clear law established by international conventions to which Iraq is a party.

Second, the documents provide graphic evidence of Iraqi atrocities; there is no doubt of their veracity as they were written, signed and filed by agents of the Iraqi secret police. If properly exploited, these documents could prove that Saddam Hussein engaged in crimes against humanity and war crimes. This will send a clear message that as long as the Saddam Hussein regime remains in-place, Iraq will remain an international pariah.

Third, I wish to commend the researchers from Middle East Watch and the Department of Defense for the work they have completed. Their painstaking efforts have been accomplished despite scarce resources. The Department of Defense has provided linguists for the project from the various service branches. However, I know that there is a sore need for the Department of Defense to augment this contingent by contracting for the personal services of professional linguists. Moreover, the entire project could be completed more rapidly if these contract employees were not subject to the competitive bidding requirements. In most instances I strongly support competitive bidding. In this instance, I do not.

Finally, I wish to express my appreciation to the chairman of the Foreign Relations Committee, Senator PELL, for his strong and capable leadership

on this project. He has gone well beyond the call of duty to ensure that this project succeeds.

Mr. President, I see the distinguished chairman of the Defense Appropriations Subcommittee, Senator INOUE. Does the chairman support providing the Department of Defense the resources and flexibility to facilitate this project?

Mr. INOUE. I thank the chairman of the Near East and South Asia Subcommittee, as well as the chairman of the Foreign Relations Committee. As the Senators may recall, because of my deep concern regarding Iraq's militarily offensive activities in the Middle East, 5 years ago I proposed a blockade on Iraq. Unfortunately, that measure failed because of jurisdictional objections. This concern remains just as strong, if not stronger, today. Therefore, I will be pleased to assist the Foreign Relations Committee on this project by introducing an amendments to H.R. 3116, the Defense appropriations bill, that provides \$1,000,000 in available operation and maintenance, defensewide, funds to exploit captured Iraqi Government documents relating to the Kurds and other minorities of northern Iraq.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 1046) was agreed to.

Mr. INOUE. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUE. Madam President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 1047

(Purpose: To express the sense of the Senate regarding unresolved commercial disputes in Saudi Arabia)

Mr. INOUE. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUE], for Mr. EXON, proposes an amendment numbered 1047.

The clerk will report.

Mr. INOUE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. . It is the sense of the Senate that the Government of the United States and the Government of Saudi Arabia should work diligently and without delay to resolve satis-

factorily the outstanding commercial disputes identified in the Department of Commerce letter; date May 27, 1992: *Provided*, That not later than February 1, 1994, the Secretary of Defense, after consultation with the Secretary of State and the Secretary of Commerce, shall submit a report to the Congress on the status of the process for the resolution of commercial disputes in Saudi Arabia and the prognosis for any of the disputes which remain unresolved.

Mr. INOUE. Madam President, this is a sense-of-the-Senate amendment urging the Governments of the United States and Saudi Arabia to resolve certain disputes. We have studied this matter. We find no objection to it. We urge its acceptance.

Mr. STEVENS. Madam President, it is my understanding that these reflect similar concerns that were expressed by the Senator from Nebraska last year. I have no objection to that.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The amendment (No. 1047) was agreed to.

Mr. INOUE. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### ORDER OF PROCEDURE

Mr. INOUE. Madam President, I ask unanimous consent that the Somalia amendment of Senator GORTON which was part of the list submitted last evening be crossed out.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DECONCINI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DECONCINI. I ask unanimous consent to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE MISSING VICTIMS OF WAR IN THE FORMER YUGOSLAVIA

Mr. DECONCINI. Mr. President, it is difficult to comprehend the immeasurable depths of despair and agony felt by the individual victims of the war in the former Yugoslavia, let alone the wide scale on which the population of this region shares the resulting emotional scars. To be forced to surrender your house and possessions for which you worked hard for many, many years; to be expelled from the village and area which you and your family have called home, perhaps for several generations; to learn of and even wit-

ness loved ones being brutalized and killed, sometimes by people you knew as neighbors; to have all of this happen so senselessly is unimaginable.

But it has happened, daily for more than 2 years, to victims of aggression in the former Yugoslavia, Croatia, and Bosnia and Herzegovina in particular.

Life can never be the same for these people. With time, some will hopefully be able to put the past behind them as best they can and move on, when, and if, this violent tragedy finally concludes. Among those who are least likely to make such a recovery, however, are those with loved ones who are counted not among the dead or the homeless, but the missing. Thousands of people are unaccounted for.

Recently, the Helsinki Commission, which I chair, was visited by a few such people, women from the Croatian city of Vukovar, which fell to Yugoslav military and rebel Serb units after months of bombardment in November 1991. Some of these women already knew of dead sons and other relatives, but they also had missing sons, sons who disappeared during and after the siege. Some of the missing were injured in combat, and were therefore among the hundreds hospitalized in Vukovar when the city fell. While some believe that they are among those buried in mass graves discovered near Vukovar, others believe they still may be held in detention somewhere in Serbia. The truth is: nobody knows for sure. These women from Vukovar visited Arlington National Cemetery, which evoked in them the painful realization that they could not even know their loved ones were dead and claim their remains for proper burial.

I think it appropriate and useful, Mr. President, to forget for a moment that these women and their sons are not Americans, and to ignore whether these were Croats, or Serbs, or Bosnian Moslems. Let us instead try to imagine their personal grief, and note that more people are feeling, not imagining, that grief every day, now especially in Bosnia and Herzegovina.

Many people, including here in the Senate, have, like myself, realized for a long time that this should have been stopped, should be stopped now, and could have been stopped by the international community a long, long time ago if there was just the will and the backbone of that community to step forward. The international community failed to stop it and, in my view, is not even sufficiently committed to an effort to prosecute those who we know, often by name, and are available in the international society now for apprehension, as responsible for these crimes, and little or nothing is happening toward them. The innocent victims of the Yugoslavia war deserve justice, but they must first and foremost be told what happened to their loved ones.

Therefore, I call upon the authorities at Belgrade, Serbia, to reveal the fate



of those thousands of missing persons about whom they must have some information, including those who disappeared in Vukovar. I urge President Clinton to ensure that our State Department and the United Nations raise this at the highest levels with the Serbian leaders and that it not be forgotten in the peace process that is going on now regarding the former Yugoslavia.

#### THANKS

Mr. DECONCINI. Madam President, on another subject matter, I want to thank my staff for the surprise this morning delivered to me through my good friend from Kentucky, the majority whip, Senator FORD, in the letter of thanks for my leadership or employment with them.

The feeling is very mutual. I have been blessed in my career in the Senate and before as a prosecutor and in other positions having people who were willing to give of themselves time and time again, far more than was ever demanded by me.

I take great pride that they give me some credit for that, but I give the particular credit to people who have worked for me in the years past for that dedication not only personal to me and loyal to me but to the job and to the performance of public service, and that is doing things for people and not expecting a thank you or any gratification for it except the satisfaction that that is our job.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 1048

(Purpose: To provide for a study of the effects of working in uranium mills on the health of uranium mill workers)

Mr. INOUE. Madam President, I ask unanimous consent that the pending amendment be set aside, and I send to the desk an amendment authored by Senator BINGAMAN and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUE] for Mr. BINGAMAN, proposes an amendment numbered 1048.

Mr. INOUE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection it is so ordered.

The amendment is as follows:

On page 8, line 17, between "environment" and ":", insert the following: "Provided further, That of the funds appropriated in this paragraph, \$500,000 shall be available only for a study of the effects of uranium milling, including exposure to radon chemicals and uranium, on the health of those individuals employed in uranium mills in the southwestern United States during the period beginning on January 1, 1947 and ending on December 31, 1971".

Mr. BINGAMAN. Madam President, this amendment would authorize a study on the health effects of uranium milling, which was conducted in the Southwestern United States—primarily on or near the Navajo Nation in Arizona, New Mexico, and Colorado, from the late 1940's to 1971.

The Radiation Exposure Compensation Act of 1988 (Public Law 100-321), as amended by the fiscal year 1991 Defense Authorization Act, authorizes compensation for claims related to radiation exposure to: First, documented veterans; second, employees of uranium mines, and third, on-site participants in atmospheric nuclear tests who contracted certain disease as a result of exposure to radiation.

Uranium mill workers were not included in the act, despite the fact that they were also exposed to radiation. The Senate Labor and Human Resources Committee has received testimony from members of the medical profession, researchers, and residents of the southwestern United States and former uranium millworkers indicating that many of the men who worked in uranium mills between 1940 and 1971 may have suffered radiation-related illnesses similar or identical to those suffered by uranium miners and members of the two other classes already covered under the act.

This amendment would mandate a study of the health effects of workers employed in uranium mills between 1940 and 1971. These workers contributed to the national security of the United States at the height of the cold war. They risked their health and their lives without realizing or being told that they were at risk in any way. Many of these men were members of the Navajo Nation, who like the uranium miners and the code talkers before them, gave their lives for the benefit of all Americans.

Peterson Zah, president of the Navajo Nation, has worked on this issue for the past 20 years. At a Labor Committee field hearing in Shiprock, NM, on June 5, 1993, he made a compelling statement on the need to conduct this study and extend to the dedicated millworkers the apology offered by the United States to the uranium miners and downwinders.

My belief is that this study will point to a causal relationship between working in uranium mills and the radiation-related disease specified in the Radiation Exposure Compensation Act. If

so, I intend to try to amend the act to cover this class of workers, many of whom are now elderly and seriously ill.

At this moment, however, we simply do not have the scientific basis and medical facts necessary to determine the full extent of the problem and the best manner in which to address this issue. This is because uranium millworkers have never been adequately studied.

I hope this study can be conducted promptly, by whomever the Army Surgeon General deems best qualified to conduct such a study.

Mr. INOUE. Madam President, this matter relates to uranium deposits. The managers have studied the measure. We find no objection. We ask that it be accepted.

The PRESIDING OFFICER. Is there further debate?

Mr. STEVENS. There is no objection.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 1048) was agreed to.

Mr. INOUE. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 1045

Mr. INOUE. Madam President, the managers of this measure, together with the Senators from Idaho, have given the amendment submitted by Senator REID of Nevada careful consideration. After such consideration, we find no objection. We ask that it be considered at this time and accepted by the Senate.

Mr. STEVENS. Madam President, this is a sense-of-the-Senate resolution and, as such, it sets forth the matters that should be considered by the Air Force. As a sense-of-the-Senate resolution, I find no objection to it.

The PRESIDING OFFICER. The yeas and nays have been ordered. It will take unanimous consent to vitiate the yeas and nays.

Mr. INOUE. I ask unanimous consent that they be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 1045) was agreed to.

Mr. INOUE. Madam President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS TO AMENDMENT NO. 1044

Mr. STEVENS. Madam President, I send to the desk a list of Senators who have requested to be cosponsors of the McCain amendment, which was adopted earlier today. I ask that they be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list follows:

COSPONSORS OF AMENDMENT NO. 1044

Mr. SARBANES.  
Ms. MIKULSKI.  
Mr. CHAFEE.  
Mr. PELL.  
Mr. CAMPBELL.  
Mr. BROWN.  
Ms. MOSELEY-BRAUN.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. INOUE. Madam President, I ask unanimous consent that the Senate proceed to executive session and that the Committee on Commerce, Science, and Transportation be discharged of the following nomination:

John D. Spade, for appointment to the grade of rear admiral (lower half) in the U.S. Coast Guard.

I further ask unanimous consent that the Senate proceed to immediate consideration, and that the nominee be confirmed, that any statements appear in the RECORD as if read, that upon confirmation, the motion to reconsider be laid upon the table, that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

#### IN THE COAST GUARD

The following officer of the U.S. Coast Guard for appointment to the grade of rear admiral (lower half):  
John D. Spade

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

### ORDER FOR THE RECORD TO REMAIN OPEN

Mr. INOUE. Madam President, on behalf of the majority leader, I ask unanimous consent that the RECORD remain open today until 3:30 p.m. for the introduction of legislation and statements.

The PRESIDING OFFICER. Without objection, it is so ordered.

### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 1994

The Senate continued with the consideration of the bill.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

#### AMENDMENT NO. 1049

Mr. STEVENS. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for Mr. COATS, proposes an amendment numbered 1049.

Mr. STEVENS. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 26, line 12, before the period, add: "Provided further, That of the funds appropriated under this heading, \$18,000,000 shall be available only for heavy armor modification for the high-mobility multipurpose wheeled vehicle".

Mr. STEVENS. This is an amendment to earmark partial funds already in the bill for the upgrading of the Humvee vehicle in a more heavily armored state.

Mr. INOUE. I have no objection.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 1049) was agreed to.

Mr. STEVENS. Madam President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INOUE. On Senator COATS' behalf, I ask the other two amendments reserved for him be stricken from the list.

The PRESIDING OFFICER. Without objection, it is so ordered. Without objection the pending amendment is set aside.

#### AMENDMENT NO. 1050

(Purpose: To clarify the eligibility for assistance for certain levees)

Mr. INOUE. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUE], for Mr. BOND, proposes an amendment numbered 1050.

Mr. INOUE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. Notwithstanding any other provision of law (including any regulation), with respect to the public sponsor of a primary levee located in the area that was affected by major, widespread flooding in the Midwest during 1993 and that was designed for a 5-year flood or a higher level flood, the eligibility of the public sponsor of the levee to receive assistance through the levee rehabilitation assistance program of the Army Corps of Engineers shall not be affected by the status of participation (or lack of participation) of the public sponsor in the program. A public sponsor of a levee who becomes eligible to receive assistance under the program pursuant to the preceding sentence may, not later than September 30, 1994, submit an application to participate in the program.

Mr. INOUE. Madam President, this amendment has been approved by both managers. It relates to the flooding, recent flooding in the Midwest.

Mr. STEVENS. Madam President, there is no objection to this amendment.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 1050) was agreed to.

Mr. INOUE. Madam President, I move to reconsider the vote.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Madam President, if the Senator will yield to me for just a moment?

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, as managers we still have over 50 amendments to have considered on this bill on Monday. It was expressed to us last evening that both the majority and minority leaders wish us to finish this bill on Monday.



We, at the request of the leadership, will be here at 10:30. It will soon be announced on Monday morning. There is an amendment ready to proceed on then. But we urge Senators who have reserved the right to submit amendments to come to the floor and be ready to offer them; furthermore, to consider a time agreement so we might complete our task as requested by the leadership.

I thank my friend.

#### THE U.S. SUBMARINE INDUSTRIAL BASE AND THE "SEAWOLF" SUBMARINE

Mr. WARNER. Madam President, yesterday, during debate on the amendment by Senator MCCAIN to prohibit funding for the third *Seawolf* submarine, my good friend from Connecticut, Senator DODD, stated that our country's capacity to build submarines today was down to one shipyard, namely the yard located in his home State at Groton, CT.

While I joined with my friend, Senator DODD, in opposing the McCain amendment, which was tabled by a vote of 52-47, I cannot allow Senator DODD's incorrect assertion about our Nation's submarine building capacity to go unanswered.

Newport News Shipbuilding, a division of Tenneco, Inc., is located in my home State of Virginia and is a premier designer and constructor of nuclear-powered submarines. In its 106-year history, Newport News Shipbuilding has designed and constructed nearly every type of combatant ship used by the U.S. Navy during that period. In August of this year, Newport News Shipbuilding christened the U.S.S. *Toledo*, a 688-class submarine, the 50th nuclear submarine built by the yard to be christened. Today, there are six more 688-class submarines under construction at Newport News Shipbuilding to be delivered to the Navy.

Newport News Shipbuilding plays a critical role in our nuclear Navy, as the lead design yard for both the 688-class and the *Seawolf* submarines, and it is involved in the design of the new attack submarine, often referred to as the *Centurian*. Furthermore, Newport News Shipbuilding is the Nation's only shipyard capable of designing and constructing nuclear-powered aircraft carriers.

I look forward to the expeditious authorization of the next *Nimitz*-class aircraft carrier, CVN-76, which has been recommended by the Clinton administration in the Department of Defense's Bottom-Up Review, and which is fully funded in this bill. By moving forward soon on this carrier, the Navy has estimated that we can save \$200 million of taxpayers' money on the overall cost of that ship. I hope the Congress will support doing so.

#### OFFICE OF ECONOMIC ADJUSTMENT

Mr. KEMPTHORNE. Is the senior Senator from Alaska aware of the fact that the Navy will close its last two training reactors located at the Idaho National Engineering Laboratory and, as a result of this action, around 500 permanent Navy personnel and 500 sailors who come to Idaho for training for 6 months at a time along with 300 contractor employees will leave the Idaho Falls area?

Mr. STEVENS. Yes; I am aware of the fact that the Navy has decided to close its training reactors in Idaho.

Mr. KEMPTHORNE. Does the Senator agree that the loss of around 1,333 jobs will have a significant economic impact in Idaho Falls which has a population of around 45,000 people and a work force of around 24,000 people?

Mr. STEVENS. Yes; I believe that level of job loss, as a direct result of defense downsizing, will have a significant economic impact in the Idaho Falls area.

Mr. KEMPTHORNE. Is the ranking member of the Defense Appropriations Subcommittee aware of the good work being done by the Office of Economic Adjustment in the Department of Defense as it helps communities plan for economic adjustments as a result of defense job losses?

Mr. STEVENS. Yes; I know that the Office of Economic Adjustment has helped many communities reorient their economies in the wake of base closures, defense cuts and job losses. In fact, the bill now before the Senate includes an additional \$10 million for the OEA to help it assist more communities as we continue to reduce the size of our defense economy.

Mr. KEMPTHORNE. Is the Senator from Alaska aware that the Office of Economic Adjustment cannot legally help a community unless it determines a defense action will cause significant economic impact in a community?

Mr. STEVENS. Yes; I am aware that a determination of a significant economic impact is required before the OEA can offer a community its expertise and experience with defense conversion.

Mr. KEMPTHORNE. Is the distinguished ranking member of the Defense Appropriation Subcommittee aware that the Office of Economic Adjustment is not certain that it can make a determination of significant economic impact as it relates to Idaho Falls and the shut down of the Navy training reactors?

Mr. STEVENS. No; I was unaware that the OEA was unsure that it could help Idaho Falls. I will say, however, that when this legislation was drafted, it my understanding that the Congress' intent was to assist communities such as Idaho Falls.

Mr. KEMPTHORNE. The senior Senator from Alaska surely knows that

the OEA essentially provides its expertise and experience, and very modest sums of money, to help communities with defense conversion efforts. What I am trying to say is that the people of Idaho Falls are not looking for a Government handout but rather we would like the Federal Government to contribute its experience with defense conversion to the economic diversification effort in Idaho Falls which is known as the Initiative 2000.

Mr. STEVENS. I agree the OEA should lend its defense conversion expertise to the people of Idaho Falls.

Mr. KEMPTHORNE. Does the Senator from Alaska agree that although some Department of Energy jobs will be lost as a result of this action, it is the Navy's decision to close its training reactors and it is the Navy jobs that will be lost that will cause the significant economic impact in eastern Idaho? And clearly, is it not an act of the Department of Defense that will cause this economic impact?

Mr. STEVENS. Yes, I agree that it is clearly a Department of Defense action that is causing this job loss in the area of Idaho Falls?

Mr. KEMPTHORNE. Would the ranking member of the Appropriations Subcommittee agree to seek report language during conference to clarify the Congress' view that the OEA should help communities such as Idaho Falls?

Mr. STEVENS. I can assure the Senator from Idaho that I will do my best to include report language encouraging the OEA to help the Idaho Falls area in the conference report on the fiscal year 1994 Defense appropriation bill.

Mr. INOUE. I agree that we need to look carefully at this issue during our conference to make sure that the Office of Economic Adjustment tries to assist communities such as Idaho Falls.

#### MORNING BUSINESS

##### SOMALIA

Mr. ROTH. Madam President, like all Americans, I have been deeply troubled by the bloodshed and loss of life in Somalia, especially of our own brave young soldiers who were sent to that country on a mission of mercy. The terrible events of last week, the vagueness of the mission which has placed our troops in harm's way, and the confusing and rapidly changing set of policies adopted by the White House on Somalia all raise serious questions about this mission. They also raise questions about America's broader role in the post-cold war world, about the types of operations we should undertake with and under the auspices of the United Nations, and about the sorts of operations the United Nations should itself undertake. The debacle in Haiti only inflames doubts.

It is tragic that it has taken the deaths of so many Americans to focus attention on these questions. But until last week, the administration simply was not paying attention to Somalia. As the Washington Post reported on Saturday, it was not until the President returned from a trip to California, two days after our soldiers were killed, that he asked, according to an aide, "Why didn't I know this was happening?"

Today, I have come to the floor to help make sure we do not ask that same question about another policy involving the United Nations the administration has adopted. Over the summer, President Clinton announced that the United States would back Japan and Germany in their bids to become permanent members of the U.N. Security Council, bids which the Prime Minister of Japan and the Foreign Minister of Germany reaffirmed in their speeches at the opening of the U.N. General Assembly last month in New York.

Now as I stated as long ago as 1989, in principle, elevating Japan and Germany to permanent membership status remains a worthy long-term goal. After all, both Bonn and Tokyo exercise as much or more global influence through their economic clout than most of the current permanent members. Moreover, if the United Nations is to better play its critical role in the post-cold war world, the Security Council, as the U.N. body chiefly responsible for matters of peace and security, must better reflect the post-cold war power structure. And since the establishment of the United Nations half a century ago, the Security Council's permanent membership has not been altered.

But while Japan and Germany have attained levels of economic strength that would appear to warrant their gaining permanent membership, both nations remain politically incapable of carrying out all the obligations that such membership entails and reluctant to make the changes necessary to gain those capabilities. For historical reasons, neither country interprets its constitution as permitting it to play a full role in so-called blue helmet non-combat peacekeeping operations, let alone in the more muscular sort of operations against determined aggressors which may well become more typical of U.N. missions in the future.

Obviously, sovereign nations have every right to interpret their constitutions in any manner they wish. But if constitutional interpretation stands in the way of a country's obligations as a permanent member of the Security Council, then I believe that country's status in the United Nations should not be so elevated. Otherwise, the Security Council would surely be placed in an untenable position: Tokyo and Bonn would be able to vote in favor of U.N. military operations which could endan-

ger the lives of American, British, and French troops, but in which their own forces could play no part. In short order, the Security Council's ability to act would be crippled. Japan and Germany should also recognize the extent to which their international prestige would be damaged. One need only recall the outcry over the inability of Japan and Germany to provide personnel for the gulf war effort to understand the depth of feeling that would arise in this kind of situation.

I am troubled that the Clinton administration seems unconcerned by these issues, and that it has lent its support to Japanese and German aspirations for permanent membership without defining the terms of American support. In response to a letter I sent the White House on this subject, President Clinton stated simply that he was "confident that leaders in both Tokyo and Bonn understand the link between global power and influence on one hand, and responsibility on the other."

Madam President, I am not so confident. If Japan and Germany did understand that link, why are they pressing for permanent membership before being capable of fulfilling all the responsibilities that attend such membership? Why, before coming to the United States, did Prime Minister Hosokawa state in the Diet that his government would never authorize the Japanese Self-Defense Forces to join the military phase of any peacekeeping mission? Why, after the Prime Minister's U.N. speech, did Chief Cabinet Secretary Takemura say that, should Japan be accepted as a permanent member, his country "should not go beyond the framework of the constitution" in making international contributions? And why, during his General Assembly speech, in a reference to the necessity of the United Nations resorting to force on certain occasions, did Foreign Minister Kinkel say that Germany's "contribution to the United Nations will continue to be of a mainly political and economic nature"?

I believe the United States must make its position clear to Japan and Germany and delineate precisely what it is that we expect of both countries as they benefit from our backing in their efforts to gain permanent membership. And I believe Japan and Germany must make their own positions clear over which responsibilities they are prepared to fulfill—and which they are not prepared to fulfill—should they actually become permanent members of the Security Council. In an era in which the United Nations is assuming an ever more critical role, it is crucial that we know, and discuss openly, how the United Nation's core authorities over issues of peace and security may be affected by such a change in the Security Council. And in the case of Japan, which is only now just begin-

ning to come to terms with its behavior during World War II, that discussion must take into account the very serious concerns of its Asian neighbors.

I stress again, I have long favored the principle of making Japan and Germany permanent members of the Security Council. To be effective, that body must reflect the world we live in today, not the one we lived in 50 years ago when the permanent membership roster was established. But to make the changes in the United Nations that need to be made, Tokyo and Bonn must first eliminate the self-imposed barriers that prevent them from meeting the responsibilities of permanent membership. Once those barriers have been removed, then Japan and Germany will deserve our full support.

#### SOMALIA

Mr. DURENBERGER. Madam President, I rise to comment on last night's vote on the Byrd amendment, and on the overall situation in Somalia.

I voted for Senator BYRD'S amendment. I did this not because I believe it is the place of the Senate to dictate to the President a specific withdrawal date, but because I believe that we need a deadline.

Operation Restore Hope was a success. There were no battle casualties. We fed thousands of starving Somalis. We stemmed the tide of famine. And we withdrew most of our troops, because the job was all but completed and we won.

And now, the sooner we get our troops out of Somalia, the better—both for our military and for the future of Somalia. Because the sooner the United States withdraws, the sooner the Somalis are forced to address the question of their political future.

There is a basic reality in Africa that we must realize and accept: every country needs a stable leader. In Somalia, that may be General Aideed, or it may be someone else, but that is an issue for the Somalis to decide, not the United Nations, and certainly not the United States.

Over the past couple of years, there has been some significant political progress in several East African nations.

I met recently with President Isaias of Eritrea, a fascinating young man with a remarkable story, who this past year has overseen the transition of Eritrea to independence after a 30-year war with Ethiopia. Just a few months ago in May, 98 percent of Eritrea's voters voted in favor of independence. A constitution is being drafted, and a formerly rebel movement is learning how to govern and setting about the business of national reconstruction.

In Uganda, President Museveni has brought stability out of chaos, represented most vividly by Museveni's predecessors, Milton Obote and Idi



Amin. When Museveni came to power as an army general, the country was engaged in civil war, gross domestic product had fallen dramatically, and inflation was at about 300 percent annually. Museveni's government has liberalized Uganda's economy significantly—abolishing state monopolies and lifting price controls. Uganda now has one of the brightest economic futures in Africa. And although multiparty elections have yet to be held, there is considerable movement toward a new constitution and general elections in 1994.

This past June in Burundi, 2.8 million voters went to the polls to elect Melchior Ndadaye President in the country's first ever multiparty elections. Former President Buyoya, who also gained power as an army general through a military coup in 1987, succeeded at bringing reconciliation in Burundi after years of ethnic rivalry between the majority Hutus and the minority Tutsis, and presided over the drafting of a new constitution. In order to stand for election under the new constitution, Buyoya resigned from the military, and gracefully accepted his defeat following the election. Now he is leading a Freedom Foundation to encourage economic development in his country.

A good friend of mine from Minnesota and a leader in the national youth service movement, Jim Kielsmeier, has recently gone to Kenya to begin work for the establishment of a Somalia Reconciliation and Development Corps. This African-led project seeks to reverse the cycle of poverty, despair and anarchy in Somalia by refocusing small groups of Somali youth on their historical heritage. The vision of this project is to demonstrate that needs can be met, lives can be invested, new leaders can be trained, and a nation can be rebuilt—one community at a time.

Also, we many times forget the hard work and many successes of the NGO's that have been working in Somalia a lot longer than the United States military. Several humanitarian organizations, including World Vision, the Red Cross, Doctors Without Borders, and the Minneapolis-based American Refugee Committee, as well as many others, have been on the front lines of this crisis. The individuals involved with these organizations know a lot more about Somalia and the humanitarian crisis there than any of us in the United States Senate.

These stories offer models for the people of Somalia, and they offer leaders who understand and have been where the Somalis are now. Many East African leaders have been urging an East African conference on Somalia, and an African solution to the unrest there. We have to take advantage of this leadership and experience—because I am convinced that the key to

the future of East Africa, and indeed all of Africa, is leadership.

A recent editorial written by William Raspberry in the Washington Post provides the best description I have seen of the situation in Somalia. Allow me to quote Mr. Raspberry briefly. He states:

The preoccupation with capturing (or killing) the elusive Aided obscures two things worth paying attention to. The first is that Aided is as close as anyone is likely to become in the near future to being the political and military leader of Somalia.

He goes on to comment:

This raises what is for many Americans an unthinkable possibility: that the end of chaos and the ascendancy of Aided may be the same thing.

In retrospect, we should have seen—and taken into account—such a possibility from the outset of our humanitarian intervention.

The essay concludes:

We've done well in Somalia, and we've done good—much of it of a lasting nature.

\* \* \* \* \*

Frustration over a guy we can't catch and anger over the desecration of two dead soldiers are a poor basis for making policy.

Madam President, that is the bottom line, and it is something we must consider as we address one more question concerning this crisis: What happens if—once the United States forces have withdrawn—the situation in Somalia further deteriorates to the point it was at a year ago? Before Operation Restore Hope, hundreds of thousands were at risk of starvation.

What do we do if it happens again?

I recognize that this may not be a very popular position, but it is nevertheless the view of this Senator that in such a situation, the United States must be prepared to once again open supply lines so that humanitarian organizations can get their job done.

Remember, we succeeded the first time. Our original mission in Somalia was well-defined and successfully fulfilled. Our military accomplished it in quick order. We have every right to be proud of that achievement.

And if it is necessary, we must do it again. What we emphatically must not do is set a costly and unrealistic mission in Somalia in an attempt to avoid that contingency.

We dealt with it in the past. We can deal with it again. The humanitarian situation is no excuse for the creation of a United States quagmire in Somalia.

I ask unanimous consent that a letter I sent last week to President Clinton be inserted following my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, October 7, 1993.

Hon. BILL CLINTON,  
The White House,  
Washington, DC.

DEAR MR. PRESIDENT: In response to your speech this afternoon outlining U.S. policy

regarding Somalia, I am writing to offer my thoughts on this matter.

The U.S. military mission in Somalia, as outlined by President Bush late last year, was to create a secure environment for the delivery of humanitarian aid. It is my understanding that this mission is substantially completed, resulting in an end to the famine that has ravaged that country.

The remaining problems of the Somali people, including internal civil unrest and the absence of any viable civil authority, are not amenable to a U.S. or a U.N. imposed solution.

I believe that our policy should reflect this reality. There should be an orderly withdrawal of U.S. forces from Somalia. However, our withdrawal should begin now and should not take an extensive period of time. Sending additional troops to Somalia can only be justified in the context of supporting an orderly withdrawal of troops already in Somalia. Additionally, I question whether U.S. forces cannot be withdrawn prior to the March 31, 1994 deadline referred to in your speech.

Yesterday, I had the privilege of meeting with a number of African presidents who are visiting the United States. After speaking specifically with President Ndadaye of Burundi and President Issaias of Eritrea, I strongly believe that the only way to a lasting solution for the unrest in Somalia will be accomplished through the efforts of Africa's leaders.

Additionally, there are other leaders in Africa, many of whom I consider friends, who can promote reconciliation between the adversaries in Somalia and help restore order much faster and with greater understanding of the problems in this region than the United States or the United Nations. We must take advantage of this available experienced leadership.

As always, I appreciate your consideration. Sincerely,

DAVE DURENBERGER,  
U.S. Senator.

#### GOP HEALTH CARE PLAN

Mr. SIMPSON. Madam President, last month 23 Republican Senators introduced our health care reform outline in a press conference led by my friend, Senator JOHN CHAFEE from Rhode Island. This document was the result of examining these complex issues every Thursday morning over the past 3 years. I want to commend this very dedicated man Senator CHAFEE, for all of his hard work and diligence over the past years. He has been a tireless leader on health care issues for all of us. We are not an easy group to manage and keep on track, and Senator CHAFEE has done an extraordinary job in coming up with a proposal that we can all support. I would also like to acknowledge his magnificent staff headed by Christy Ferguson. She is most patient and professional. They have all done a tremendous job of keeping us focused on our objectives through this long and difficult process.

We believe the primary goal of reform should be to give all Americans an equal opportunity to influence the cost of quality of health care they receive. The centerpiece of any reform

plan must not be government micro-management. Instead, we believe it is the rules by which insurers, purchasers, and providers operate must be changed in order to put all three on equal footing.

Our proposal has two distinct parts. The first part reforms the system to improve the efficiency of health care while holding costs down. All of these reforms can be done immediately. Under these reforms, we would help small businesses and individuals by setting up purchasing groups for them to join to purchase their health care coverage. In this way, small employers would be able to exercise their marketplace purchasing power just as large employers do today.

The second part of our plan would phase in coverage for those persons who cannot afford care, but we are ineligible for Medicaid or Medicare. These persons would receive vouchers financed only as savings are realized through cost reduction reforms. We see this as our pay-as-you-save approach. This type of approach would tie implementation to savings instead of increasing taxes and making major program reductions to finance our proposal. Our savings would come from reducing the combined average rate of growth in Medicare and Medicaid from 12 percent to 7 percent over 6 years. In order to reduce the growth rate in the Medicare program, among other things, we would increase the part B coinsurance and means test the part B premium under Medicare.

I want to make it perfectly clear that when we are talking about making reductions in the Medicare and Medicaid programs—that we are not talking about cuts in these programs. We are talking about reducing the rate of increases in these programs. When you take a program such as Medicare that expanded at the rate of 29 percent last year and only allow the program to increase at the rate of 20 percent per year—it is absolutely absurd—nay stupid—to call this a cut in the program. Under our proposal, to contain costs in order to expand coverage to the uninsured, we need to slow the horrendous rate of growth in these entitlement programs.

Finally, I want to emphasize my main concern about health care reform which is as to just how any of these plans will work in rural and frontier areas. Our proposal would allow States the flexibility to design their own plans based on their own constituents' needs. Federal grants would be available to assist in building infrastructure and the delivery of health care to populations in medically underserved areas. Both of these provisions are very important to frontier States such as Wyoming that desperately need assistance in developing the needed infrastructure to provide access to health care for all of our constituents. Managed competi-

tion will not work in Wyoming because we do not have the needed infrastructure and number of providers that is needed to promote competition in the marketplace. The lack of primary care physicians is also addressed in the Republican plan by the establishment of a health care training consortia demonstration project, which would pool graduate Medicare education funds and allow experimentation in educational circles as to methods of changing the physician-specialty mix. National Health Service Corps funds would also be expanded under our proposal. Wyoming is in critical need of all types of primary care providers, including physicians, nurse practitioners, and physician assistants. Therefore, additional investments in health care training and education, particularly for primary care providers, is especially needed and worthwhile in medically underserved areas such as Wyoming.

In conclusion, the Republican proposal and that of the Clinton administration have considerable similarities. We all agree on the goals of universal coverage, containing escalating health care costs, and preserving the quality of our health care system. We look forward to working with the President and Mrs. Clinton in the spirit of bipartisan cooperation to achieve these goals for the good of all Americans.

#### STATEMENT ON THE NOMINATION OF DIANE D. BLAIR

Mr. HOLLINGS. Madam President, last evening the Senate confirmed the nomination of Diane Blair to be a member of the Corporation for Public Broadcasting [CPB]. Ms. Blair has been a leading participant in the efforts to improve educational television and civil rights. I am pleased that the administration has nominated someone who has experience in the field of public broadcasting and who has demonstrated a commitment to public service.

The CPB continues to face several significant issues in the coming years. As new technologies become cheaper and more accessible, they also present new opportunities for the CPB to expand its mission. Direct-to-home satellite television, video compression, and new standards for digital transmission all require the CPB to remain at the leading edge of scientific and market advances.

In addition, the CPB must recognize the needs of our current educational system. We are all concerned that more than 90 million of our citizens remain illiterate. The ability to read is essential for becoming a happy and productive member of our society. We all must take responsibility for this problem, and public broadcasting can play an important role in addressing it.

Finally, the CPB must make greater efforts to comply with the spirit and

intent, as well as the letter, of the amendments to the CPB authorization bill passed in the last Congress. After many detailed and productive discussions with Senators on both sides of the aisle last year, Congress agreed that the decisionmaking process within the CPB must be opened to greater public input and review. It is appropriate for the taxpayers of this country to have an opportunity to review the activities of the CPB and to provide their views in an open setting on how the CPB should spend the money that Congress appropriates to it. Only in this way can public broadcasting truly be responsive to the needs of the local community. I intend to continue to work with the CPB to ensure that it meets these goals.

#### STATEMENT ON THE NOMINATION OF JIM HALL

Mr. MATHEWS. Madam President, I am pleased that the Senate has confirmed Jim Hall.

I would like to pay my respects and thanks to 19 of my colleagues on the Commerce, Science, and Transportation Committee who passed on to this body with recommendation the nomination of James E. Hall to the National Transportation Safety Board. I also would like to express respects and thanks to my distinguished but dissenting colleague from South Dakota, who expressed his reservations but nonetheless wished Mr. Hall well in his new responsibilities.

I, too, believe capable men and women should serve on such an important body. That is precisely why I introduced Mr. Hall to the committee and endorsed his nomination. Mr. Hall's skills at solving problems, organizing efforts, creating coalitions, and producing results have served the citizens of Tennessee well.

I have known Jim Hall for 20 years. Over those two decades he has shown uncommon executive ability that we need in Government and on the NTSB in particular. He is a manager, an organizer, and policy foreman of exceptional ability. Jim Hall will be adroit at conducting NTSB's independent investigations and adept at forming policies to promote the safety and efficiency of American transportation.

It's true that Jim Hall cannot fly an airplane. And although Jim Hall often has surprised me with his many skills, I would be astonished to learn he can dismantle and reassemble a locomotive. Or, for that matter, that he's the grand master of arcane technical details that come before the Board.

But Jim Hall was not being interviewed for a technical staff position. Mr. Hall has been chosen by President Clinton to join four other Presidential appointees to set policy and guidelines for transportation safety.

Jim Hall is not an engineer, but he developed a solid waste plan for the



State of Tennessee. The doubters said the project would never come to life. But he pulled together a coalition of local officials, environmentalists, and businesses, and fashioned compromise out of controversy. Today, 59 Tennessee counties have solid waste management programs for the first time. He also participated in planning and implementing the largest road construction program in our State's history.

Jim Hall is not a professional educator. But in 1989 he organized teachers, parents, and civic leaders from 600 Tennessee communities and incorporated their contributions into a statewide comprehensive education reform program.

Jim Hall is not a social worker, nor a probation officer, nor an authority on juvenile justice, either. Yet he organized and managed the redesign of Tennessee's drug enforcement, drug treatment, and drug education programs. He was the principal architect of efforts to reform and modernize a juvenile justice program.

A few weeks ago Attorney General Reno called his program a model for the Nation. That will be said about many of the programs and policies that emerge from the National Transportation Safety Board through Jim Hall's leadership and service.

#### STATEMENT ON THE NOMINATION OF JAMES E. HALL

Mr. FORD. Madam President, I had the opportunity to chair the confirmation hearing for James E. Hall to be a member of the National Transportation Safety Board, on August 2, 1993. Since I have known Jim's family for many years, it has been a very pleasant experience to assist in his confirmation.

Jim Hall is a native of Signal Mountain, TN. He has been involved in Tennessee politics for many years. Most recently he has served as chief of staff to Senator HARLAN MATHEWS. Many of my colleagues have had the opportunity to get to know Jim in the 10 months Senator MATHEWS has served in the Senate.

From January 1987 to December 1992, Jim was the executive assistant to Gov. Ned McWherter and director of State planning for the State of Tennessee. In this position he had the opportunity to work on transportation and safety issues.

Also in his career he served as a legislative assistant to Senator Albert Gore, Sr., and for 2 years was general counsel to the Senate Intergovernmental Relations Subcommittee.

He is a Vietnam veteran and earned the Bronze Star. He attended the University of Tennessee and received an L.L.B. degree from the University of Tennessee College of Law in 1967.

I want to share Jim's background with my colleagues, in that I believe

his law background and government experience will be an important asset to the National Transportation Safety Board. Many times important recommendations of NTSB do not get the attention of the public or policymakers. I believe Jim has the ability to raise the level of NTSB actions. His background in senior levels in State and Federal Government make him ideal for the role of communicating the actions of the NTSB to the legislative and executive branches of Government.

I am delighted to have someone on the NTSB that I consider a friend. I know that Jim will be an excellent addition to the NTSB. I look forward to working with him in his new role. I am convinced that President Clinton made an excellent choice in appointing Jim Hall to the NTSB.

#### STATEMENT ON THE NOMINATION OF DR. JAMES T. LANEY

Mr. NUNN. Madam President, I am delighted today to speak to the nomination of an outstanding American and an outstanding Georgian, Dr. James T. Laney, to be the United States Ambassador to the Republic of South Korea.

In my 20 years in the U.S. Senate, I have had the privilege of introducing many remarkable people to this body, but I can think of none more accomplished nor more uniquely suited for the task for which he has been nominated than Dr. Laney.

Jim Laney has distinguished himself at every endeavor during a long and varied career, from his days as a high school football player in Memphis to his years in United States Army Intelligence in Korea—as an honor student at Yale, a young teacher at Vanderbilt Divinity School, visiting professor at Harvard, dean of the theology school, president of Emory University, as well as in the board rooms of international corporations.

He and his wonderful wife, Berta, also found time to have 5 children and 14 grandchildren.

Jim's national prominence in education is evidenced by his service as chairman of the United Board of Christian Higher Education in Asia, on the executive committee of the Yale University Council, and as chair of Harvard Divinity's Board of Overseers. He earned three degrees from Yale and, in addition, he received a fellowship from the Woodrow Wilson Center for International Studies. In 1991, he was named to the Carnegie Endowment National Commission on America and the New World.

As president of Emory University for the past 16 years, Dr. Laney has led its rise from a regional university to a major teaching and research institution.

Two years ago, the president of Yale University said of Dr. Laney:

When the history of higher education in the latter part of this century is written, I

am certain that it will be a consensus view that no university president presided over a university so improved during his tenure as Jim Laney at Emory.

He concerned himself not only with the endowment and the quality of the faculty and research facilities but with the moral education of his students, with the condition of their souls, as he puts it, "the education of the heart." He said, "Emory is not just about making doctors and lawyers. It is about making human beings."

Major new programs with worldwide impact have been created during Dr. Laney's years at Emory—the Carter Center, the School of Public Health, innovative exchanges with Russia, Eastern Europe, Korea, Japan, and the United Kingdom. Jim was personally involved, with President Carter, in creating the Atlanta project to address the human problems of the inner city.

With the startling changes in the world over the past 5 years, the Korean Peninsula remains one of the areas in the world that poses both a grave danger and an important opportunity. As United States Ambassador to South Korea, I am confident that Dr. Laney will help our Nation meet these challenges.

Among his special qualifications at this period of our Nation's history is the fact that he is a native of Arkansas and speaks the same dialect as our President.

Most importantly, Dr. Laney also speaks fluent Korean, is well versed in that country's affairs and its history, and has many friends there.

His ties go back 46 years, to his service in United States Army Intelligence in South Korea in 1947 and 1948. Dr. Laney returned in 1959 to teach at Yonsei University. He has maintained his close ties with Korea and Korean friends over the years, and returned often to lecture at various universities.

Jim Laney will bring to the post of Ambassador to the Republic of South Korea a deep knowledge and sensitivity to the history, culture, and people of Korea.

As an alumnus and a trustee of Emory, I have watched the progress of my school under his leadership with pride. I am torn between my desire to keep this strong and visionary leader at Emory and my desire to encourage him to offer his long experience and many talents to our Nation.

I have come down on the side of our Nation, and I am pleased that the Senate will confirm the nomination of Dr. Laney by unanimous consent.

#### CELEBRATING BICENTENNIAL OF INDUSTRIAL REVOLUTION

Mr. PELL. Madam President, on October 14 through October 17, representatives of the Amber Valley Borough Council of England are visiting the Blackstone Valley in Rhode Island to

celebrate the 200th anniversary of the successful operation of a textile factory that started our industrial revolution.

To all those involved in this celebration I extend my sincere greetings. I also would like to encourage my colleagues in the Senate and, in fact, citizens throughout our Nation to reflect on what is being celebrated.

Samuel Slater emigrated from the Amber Valley during the later part of the 1700's. He was an able and dedicated apprentice in the fledgling textile manufacturing concerns of that region. A solid career was doubtless before him, but he had an adventurous spirit as well as confidence in his talent, and he came to a new but weak nation.

He was invited to Rhode Island by Moses Brown, a prominent Quaker leader, who wanted to invest his capital in a manner that would benefit his fellow citizens. Their efforts succeeded, and that success marked the beginning of the industrial revolution in the United States.

In 1793 they began operations in a new building, a structure elegant in its modesty, which is still standing on the banks of the Blackstone River in Pawtucket, RI. That building is now the Slater Mill Museum.

Thus, 1993 is the 200th anniversary of industrial manufacturing in a factory building in the United States.

Today the United States is the world's greatest industrial power, but that leadership is being challenged. The Blackstone Valley, again, is in the forefront—exploring the means to maintain excellence and to provide the sound economic base on which people depend.

The watch word and the theme in the Blackstone Valley is cooperation and people working together. The goal is a second industrial revolution.

The people of the Blackstone Valley recognize the beauty of their environment and the importance of their history. They are justly proud to be a manufacturing region, and they see manufacturing in their future.

They prove that the values of environmental protection, historical preservation, and manufacturing are not necessarily antithetical—that doing one thing, does not preclude the other.

There is a grave tendency in the United States to pit one value against another. To regulate manufacturing to protect the environment, to limit new building to preserve historic resources. The Blackstone Valley suggests that synergy rather than enervating conflict is possible.

In the Blackstone Valley community leaders are bringing work force training, industrial development, historical preservation, environmental protection into concert. Tourism in the valley is based on seeing where manufacturing has thrived.

We in Congress have recognized the historical importance of the Black-

stone Valley by creating a national heritage corridor there. One of the beauties of the Corridor Commission is that it establishes a means of coordination among Federal agencies and between levels of government. It too is a model, which others are following.

So in congratulating those involved in this bicentennial celebration in the Blackstone Valley, we should welcome their appropriate veneration for the past, their enthusiasm for the present, and their optimism for the future.

#### B'NAI B'RITH

Mr. SASSER. Madam President, I rise today to pay tribute to a century and a half of service to humanity. For 150 years the leaders and members of B'nai B'rith have worked tirelessly in accordance with those principles which are most deeply and profoundly human. Here in the United States and throughout the world, they have championed the causes of freedom, democracy, and universal human dignity.

In New York, on this day in 1843, the 12 founding members of B'nai B'rith began by each donating \$5 to a fund established to benefit widows and orphans. In the 150 years since, what they started has grown into the world's oldest and largest international Jewish organization. B'nai B'rith was America's first international service organization, and remains today the largest Jewish organization in the United States.

Begun in the United States to help unify Jews of widely diverse backgrounds from throughout the Diaspora, B'nai B'rith has membership totaling 500,000 in 51 countries. Their mission—service to the Jewish people and to the total community—has indeed become global. Since the founding of its Anti-Defamation League in 1913, B'nai B'rith has fought intolerance, anti-Semitism, and prejudice worldwide.

Today, we commend the 150 years of devotion which has established an unsurpassed tradition of service to humanity. We do this knowing, indeed thankful, that their work all continue.

#### MARILYN PAULA SEICHTER HONORED

Mr. LIEBERMAN. Madam President, it is with great pride that I rise today to recognize the magnanimous achievements and contributions of my friend, Marilyn Seichter. Marilyn is being honored by her many friends and admirers at a special tribute dinner on October 21, 1993, in my hometown of New Haven.

Marilyn is renowned for her outstanding career as a lawyer in Connecticut. After receiving a bachelor of arts degree in 1967, and a juris doctorate in 1970 from the University of Connecticut, Marilyn has distinguished herself as one of the State's most tal-

ented legal minds. Since being admitted to the Connecticut Bar in 1970, she has been extremely active in the American and Connecticut Bar Associations. Not only was Marilyn president of the Connecticut Bar Association [CBA] from 1989 to 1990, she also served as president of the New England Bar Association from 1991 to 1992.

At the same time, she has been an active member of scores of important committees within the CBA, such as the Family Law Section Executive Committee, Women and the Law Committee, Federal Practice Committee, and the Judiciary Committee. In addition, she has been involved in a number of American Bar Association committees such as marriage and family counseling and conciliation, Young Lawyers Planning Committee, and the Mediation and Arbitration Executive Committee.

Aside from practicing law, Marilyn has shared her wealth of knowledge and experiences as a teacher at St. Joseph's College, Manchester Community College, and Hartford College. She has also lectured at various conferences on topics ranging from family law to legal malpractice.

Marilyn personifies a spirit of volunteerism and civic-mindedness that many admire, but few possess. She is a member of a number of commissions and advisory boards within Connecticut. She currently sits on the Commission on Recommendation for Admission to the Connecticut Bar and the Connecticut Center for Judicial Education Advisory Committee. At a time when many Americans are faulted for their lack of concern for others, Marilyn Seichter stands out as a shining example of charity and benevolence.

Madam President, the people of Connecticut are proud of Marilyn Seichter's professional and community activism. Her dedication and accomplishments in the legal profession are exceptional and are surpassed only by her unselfish commitment to enhancing the quality of life of her friends and neighbors. I ask that my colleagues join me in saluting this very special woman. She is a true friend.

#### HONORING JOHN MACDOUGALL

Mr. DURENBERGER. Madam President, I rise today to pay my respects to a truly distinguished member of the Minnesota broadcasting community.

John MacDougall, known as the "Kindly Curmudgeon" of radio and TV station KSTP in the Twin Cities, passed away last Wednesday in St. Louis Park. He will be greatly missed in Minnesota, because his voice and personality were a part of our daily lives for over three decades.

He was a true broadcasting legend, having provided the voice for commercials on historic network programs like



"Your Show of Shows" and "Colgate Theater" before becoming KSTP's top newscaster three decades ago.

But he was more than a broadcaster and a newscaster—he was a friend to me and to the whole Minnesota community. I ask my colleagues to join me in commemorating his life—and expressing our condolences to his family on his passing.

I ask unanimous consent that an article about John MacDougall from the Pioneer Press Daily be included in the RECORD at the conclusion of my remarks.

The article follows:

[From the Pioneer Press Daily]

BROADCASTER JOHN MACDOUGALL, 68, KSTP's "KINDLY CURMUDGEON," DIES  
(By Julio Ojeda-Zapata)

The "Kindly Curmudgeon of KSTP" has died.

John R. MacDougall, 68, a veteran radio and television broadcaster who was KSTP-TV's top newscaster in the 1960s and held several other jobs with the company, died of cancer Wednesday at Methodist Hospital in St. Louis Park.

He had worked as KSTP-AM's public affairs director until only a week before his death.

"He was a broadcaster from the old days, a great man," said KSTP-AM producer Loren Davis. "On the surface he was gruff and grouchy, but you knew he was a puppy dog underneath."

MacDougall, a Minneapolis native, attended the University of Minnesota and worked on the university radio station.

He served in the Army during World War II, working as an announcer for the Munich-based Armed Forces Overseas Network. After the war, he worked for two years in Twin Cities broadcasting before moving to New York.

There, he provided the voice for commercials on such network programs as "Your Show of Shows," which starred Sid Caesar and Imogene Coca, and "Colgate Theater." He appeared in live and filmed commercials for companies such as American Home Products, Camel Cigarettes and Sterling Drug.

He also worked as an instructor in radio and television at New York University, and wrote a widely used broadcasting textbook.

MacDougall's arrival at KSTP Radio and TV was trumpeted in a full-page news release in January 1960.

"He joins the top team of Johnny Morris and Dick Nesbitt and is an integral part of the 'big 3' in Twin Cities news, weather and sportscasting—both in rating and popularity—a trio to be known as MacDougall-Morris-Nesbitt," the press release said.

The company also praised MacDougall's expertise in "hi-fi" and remarked that the broadcaster had recorded, edited and narrated an RCA Christmas album with his own tape-recording and stereo equipment.

But MacDougall, once called KSTP-TV's "big gun," lost his job in the early 1970s when Hubbard family management began newsroom purges in an attempt to regain newscast dominance in the Twin Cities market, according to news accounts.

After leaving the station, MacDougall operated his own advertising business until he returned to broadcasting in the fall of 1979 with two five-minute "drive-time" newscasts a day on the Gopher State Radio Network. The broadcasts were hard to hear in the

Twin Cities, but were carried by more than 60 stations throughout Minnesota.

MacDougall later returned to KSTP-AM, working as a broadcaster and news director. "His favorite pastime was work," said his sister, Ruth Elizabeth Ross, of Plymouth. "He enjoyed mentoring young hopeful broadcasters."

He is survived by daughters Mia Hottran, Catherine Mahnke and Meghan Moreno, sons Thomas and Steven, and seven grandchildren, all of Glendora, Calif.; sister Ruth Elizabeth Ross of Plymouth; brother Douglas of Anoka, and two nieces.

#### IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOXSCORE

Mr. HELMS. Madam President, as of the close of business yesterday, October 14, the Federal debt stood at \$4,407,559,751,803.59, meaning that on a per capita basis, every man, woman, and child in America owes \$17,159.45 as his or her share of that debt.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1651. A communication from the Director (Office of Personnel Management), Federal Bureau of Investigation, transmitting, pursuant to law, a report on the New York Demonstration Project; to the Committee on the Judiciary.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-306. A joint resolution adopted by the Legislature of the State of Washington; to the Committee on Environment and Public Works.

#### "HOUSE JOINT MEMORIAL 4013

"Whereas, The Washington State House of Representatives and Senate recognize that the permanent loss of jobs in natural resource-based industries has gravely and irreversibly impacted the coastal economies of Pacific and Grays Harbor counties and parts of Jefferson and Clallam counties; and

"Whereas, The loss of timber-related jobs has created a further erosion of jobs in coastal communities which presently do not have alternative employment opportunities; and

"Whereas, Hard-working families are losing their homes, automobiles, and other possessions and are going without adequate food, critically needed medical care, educational, and social services previously earned with wages from their jobs; and

"Whereas, The loss of sales tax, property tax, and other local revenues by local coastal communities resulting from the devastating economic dislocation is accompanied by a heavy additional burden placed on public services provided by local police, prosecutors, public health, and social service providers that manifestly precludes local government from financing an economic recovery program; and

"Whereas, In 1991 the federal government received an estimated one hundred forty-three million dollars in general tax revenue, exclusive of social security and unemployment insurance taxes, from Pacific and Grays Harbor counties; and

"Whereas, In 1991 the State of Washington received an estimated seventy-seven million dollars in general fund taxes from the two-county area; and

"Whereas, Implementation of the Coastal Economic Recovery Plan will provide jobs and improve the coastal economy so that at the end of ten years the federal government tax revenues will increase from one hundred forty-three million dollars a year to two hundred five million dollars and the Washington State general fund revenues will increase from seventy-seven million dollars a year to one hundred thirteen million dollars over the ten-year period; and

"Whereas, The millions of dollars monthly spent by the federal and state government for public assistance, unemployment compensation, medical assistance, food, retraining, and other social service programs can be sharply reduced through implementation of the coastal economy which emphasizes tourism, outdoor recreation, and commercial and sports fishing;

"Now, Therefore, Your Memorialists respectfully pray that the federal government invest, along with the State of Washington, in a Coastal Economic Recovery Plan by funding the following elements of the plan:

"(1) Habitat restoration jobs, including Olympic peninsula, Grays Harbor and Willapa Bay drainages. The primary beneficiaries of the work will be wild stocks of salmon: Fifty million dollars;

"(2) Federal share of new coastal hatcheries including wild stock supplementation facilities: Seventeen million five hundred thousand dollars;

"(3) Federal share of coastal tourism infrastructure facilities: Twelve million dollars;

"(4) Federal funding of educational facilities at Grays Harbor College for Dislocated Timber Workers: Five million dollars; and

"(5) Federal share of coastal transportation facilities for tourism and outdoor recreation: Ten million dollars.

"Be it resolved, That copies of this Memorial be immediately transmitted to the Honorable Bill Clinton, President of the United States, the president of the Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington."

POM-307. A joint resolution adopted by the Legislature of the State of California; to the Committee on the Judiciary.

#### "ASSEMBLY JOINT RESOLUTION NO. 45

"Whereas, Immigrants are an emerging population, growing and thriving in California and the United States; and

"Whereas, Immigrants constituted one-third of the population growth in California in the 1980's; and

"Whereas, There is a need to manage state population growth in order to effectively achieve resource management; and

"Whereas, Some segments of California's population have used emotion and scapegoating to target the immigrant population as the reason for economic strain in California; and

"Whereas, The anti-immigrant sentiment across the nation has resulted in the introduction of more than 20 bills into the California Legislature, most of which have been defeated because they were based on bad public policy; and

"Whereas, The introduction of many of those bills has promoted immigrant bashing in California, making all immigrants and, in the end, all Latinos and Asians, subject to scapegoating for the state's negative economic status; and

"Whereas, Immigrants deserve respect for the prosperity, growth, and cultural diversity they have brought to California and the nation as a whole; and

"Whereas, Immigrants, both documented and undocumented, are an integral part of the United States economy, as reported in the July 13, 1992, issue of *Businessweek* which revealed that while immigrants earned \$240 billion and paid \$90 billion in taxes, they received a comparatively scant \$5 billion in public assistance which went primarily to refugees, not to undocumented immigrants who are ineligible to receive welfare; and

"Whereas, It is more productive to address the issue of illegal immigration with viable solutions rather than to become a casualty of the anti-immigrant hysteria; and

"Whereas, It is imperative that the several states work with the federal government to ensure enforcement of immigration laws; and

"Whereas, It is necessary to ensure that the immigration process is fair, eventually leading to citizenship and providing all people living within our borders with the right to vote and be represented; and

"Whereas, It is important to outline a fair, equitable, and fiscally responsible plan that will curtail illegal immigration, while ensuring that these efforts do not translate into discrimination against people of color and continuing to protect the economic base of the United States; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact the following measures:*

"(a) Conduct a study to determine the impact of imposing a \$1 to \$2 toll on any person who crosses a border into the United States, regardless of his or her legal status or the method used to enter the country, with half the amount raised being distributed to those states which absorb the majority of immigrants at the same rates currently used to disburse State Legalization Impact Assistance Grant (SLIAG) funds and being used to promote and facilitate job training for work force development and citizenship processing for permanent residents, and the remaining half being entrusted to the federal government for discretionary disbursements, including enhancing enforcement of United States borders.

"(b) Enforce the United States border more effectively by thoroughly reforming federal border control agencies and increasing the number of border patrol agents. Any increase in the number of border patrol agents should, however, follow a thorough reform of the border control agencies since, as demonstrated following the 1986 border patrol increase, an increase in the number of border patrol agents will not, by itself, end the flow of undocumented immigrants. Although an increase in the number of border patrol agents may result in more frequent and increased detention of immigrants, the immigrants invariably attempt to return as soon as they are returned to their country of origin.

"(c) Increase the amount of fines, terms of imprisonment, and other penalties imposed on those persons who smuggle illegal immi-

grants into the United States, especially those who endanger the lives of their human cargo. Also, apply the federal Racketeer Influenced and Corrupt Organizations Act (RICO) and asset forfeiture laws to seize any vehicle or property used to transport and harbor illegal immigrants.

"(d) Consolidate the hearing process for federal trials of illegal immigrants accused of crimes so that criminal trials and deportation hearings are merged. Also, appoint an individual or commission in border states to oversee this process of consolidation, to ensure that police and judicial authority remain separate, and to ensure that border patrol officers are properly trained to adhere to regulations and uphold human rights.

"(e) Extradite illegal immigrants who are convicted of felonies to their countries of origin so that they may serve their prison sentences outside the United States, thereby eliminating the cost of their incarceration to taxpayers. In California, for example, more than \$250 million per year (approximately \$22,000 per inmate) is spent to house, feed, and provide health care to undocumented immigrants incarcerated in state prisons.

"(f) Overhaul the political asylum process by toughening the criteria for asylum and restricting the benefits available to refugees, while retaining humanitarian standards. Under existing law, refugees are not only allowed to work immediately, but they are also eligible for permanent resident status after only one year and are eligible to apply for various federal assistance programs, including the Aid to Families with Dependent Children (AFDC) program. Also, prohibit United States Customs inspectors and Immigration and Naturalization Service officers from making deportation decisions in order to ensure separation of police and judicial authority, and develop a better computer system to track refugees and others in the United States on visas since a substantial portion of illegal immigration is a result of overstayed visas.

"(g) Prohibit noncitizens from carrying firearms.

"(h) Reorganize the present health care system. The United States must strive to eliminate abuse of the health care system, while continuing to perform its duty to serve those who need assistance. A national health care standard should include the California standard of providing treatment to undocumented immigrants on an emergency basis only. The federal government should create health care models to help study the various methods of correcting institutional flaws in the health care system and, in the end, ensure that the process is equitable and does not promote discrimination.

"(i) Restructure the equation used to disburse revenue among federal, state, and local governments for immigration purposes. Of the \$4.3 billion in revenue generated by all immigrant groups in Los Angeles County in the 1991-1992 fiscal year, approximately \$2.6 billion, or 60 percent, went to the federal government; \$1.2 billion, or 29 percent, went to the state government; \$350 million, or 8 percent, went to other local entities; and \$139 million, or 3 percent, went to Los Angeles County.

"(j) Work with the President of Mexico, the country from which California receives the bulk of its undocumented immigrants, to understand and effectively deal with those factors which lead to illegal immigration and to implement economic development plans in those Mexican states from which the majority of illegal immigrants arrive, name-

ly, Baja California, Durango, Guanajuato, Jalisco, Michoacan, and Zacatecas.

"(k) Follow through with State Legalization Impact Assistance Grant (SLIAG) funding to complete the amnesty process so that the United States may eventually redirect its resources to perform functions that will progress the citizenship process for the 5.2 million permanent residents in need of naturalization as follows:

"(1) Assign one person in Washington, DC, to address the issues of citizenship and SLIAG funding and to ensure that the funds are being appropriated properly and that amnesty recipients who need to be naturalized become citizens of the United States. There are 3.2 million amnesty recipients nationwide, with 1.7 million in California alone. In total, there are 5.2 million permanent residents in California who need to become voting citizens. Currently, the Immigration and Naturalization Service can process only 60,000 recipients per year. At that rate, it will take 87 years to help process permanent residents to become citizens.

"(2) Ensure that the remaining \$812 million in SLIAG funds are allocated to the several states on October 15, 1993, as agreed in the Federal Fiscal Year 1993 Appropriations Conference Report so that those funds may be made available to any immigrant who needs to be naturalized.

"(3) Permit the several states to use those funds for services through September 19, 1996, in recognition of the annual reductions and deferrals of SLIAG allocations and the enormous unmet need for educational services.

"(4) Continue to require the several states to use at least 10 percent of their annual SLIAG allocations for educational services necessary to complete the naturalization process; and be it further

*Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the United States House of Representatives, and each Senator and Representative from California in the Congress of the United States."*

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1549. A bill to amend the Act establishing Golden Gate National Recreation Area to provide for the management of the Presidio by the Secretary of the Interior, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN:

S. 1550. A bill to make systematic and comprehensive reductions in Federal spending and eliminate wasteful spending while preserving the ability of the Federal Government to meet its responsibilities; to the Committee on Governmental Affairs.

By Mr. DECONCINI:

S. 1551. A bill to provide for the use of Department of Defense golf courses by the general public, and for other purposes; to the Committee on Armed Services.

By Mr. WARNER:

S. 1552. A bill to extend for an additional two years the authorization of the Black Revolutionary War Patriots Foundation to establish a memorial; to the Committee on Energy and Natural Resources.



STATEMENTS ON INTRODUCED  
BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself  
and Mrs. BOXER):

S. 1549. A bill to amend the act establishing Golden Gate National Recreation Area to provide for the management of the Presidio by the Secretary of the Interior, and for other purposes; to the Committee on Energy and Natural Resources.

## PRESIDIO LEGISLATION

• Mrs. FEINSTEIN. Mr. President, today I am introducing, with my colleague Senator BOXER, legislation that expands the leasing authority of the Secretary of the Interior regarding the facilities at the Presidio in San Francisco, CA.

The Presidio of San Francisco has been in continuous operation as a military facility since 1776, and has a proud history. The United States Sixth Army, while stationed at the Presidio, has been an important and welcomed fixture in the San Francisco Bay area. In 1989, the Defense Base Closure and Realignment Commission recommended that the Presidio be closed as a military facility.

Because of legislation passed by Congress in 1972, which this bill would amend, the property at the Presidio will become a part of the Golden Gate National Recreation Area, under the jurisdiction of the National Park Service when the base finally closes as a military facility next year. I look forward to the Presidio being a great example of a successful military base conversion. The National Park Service has been working diligently to develop a general management plan which will be a blueprint for the future of the Presidio as a national park. This plan is to be released later this month.

The purpose of this legislation is to provide the Secretary of the Interior the ability to make the transition from a military base to a national park a successful one, as well as economically viable. The Presidio is home to a great deal of natural beauty as well as a great number of historic buildings. This legislation provides the Secretary of the Interior interim authority to lease these facilities for the purposes that will be outlined in the general management plan. The long-term goal will be the passage of additional legislation that will establish a public-benefit corporation, under the jurisdiction of the Secretary of the Interior, to manage the buildings at the Presidio.

The Presidio provides an unprecedented opportunity to develop an exciting center for educators, environmental organizations, community leaders, and scientists within the National Park System. Additionally, this legislation, by allowing the Secretary of the Interior the ability to enter into lease agreements, provides a significant opportunity for the National Park Service to offset the cost of this facility to the taxpayers.

This is another step in a long process, but I look forward to continuing to work with the National Park Service to make the Presidio a truly unique and precious addition to the National Park System. •

By Mr. LIEBERMAN:

S. 1550. A bill to make systematic and comprehensive reductions in Federal spending and eliminate wasteful spending while preserving the ability of the Federal Government to meet its responsibilities; to the Committee on Governmental Affairs.

THE FEDERAL SPENDING AND DEFICIT  
REDUCTION ACT OF 1993

• Mr. LIEBERMAN. Mr. President, today I am introducing the Federal Spending and Deficit Reduction Act of 1993.

This legislation outlines more than \$100 billion in spending cuts and deficit reduction over the next 5 years according to CBO estimates. That amount—more than \$100 billion—exceeds the total spending cuts actually identified in the Budget Reconciliation Act.

Although we included \$250 billion in spending cuts in the Reconciliation Act, many of the hard decisions to implement that legislation lie ahead. This bill faces some of those decisions head on. It details specific items in the budget that I believe should be curbed.

This legislation is not aimed at one particular area of the budget. I haven't taken the approach that all budget savings must come from defense or from mandatory spending or from some other single source. Instead, it touches many areas of the budget. In fact, savings are derived from each of the four major budget categories: defense spending, domestic spending, international aid, and mandatory spending.

The world we live in has undergone dramatic changes in the last decade. We live in a world today where Government resources are more limited and are more strained, one where many of the Defense Department strategies of the last four decades apply no longer, one where the agriculture sector has become so efficient that massive Government assistance dating from the New Deal must be questioned.

Any business man or woman will tell you that the biggest mistake a company can make is to get stuck comparing this year to last year and to build strategies using last year as the base. They will tell you that long-term planning requires new thinking, shedding the old thought processes, not simply planning for a 5- or 10-percent change over last year. After all, a 5-percent improvement with a terrible year as its base is still 95 percent unacceptable.

Therefore, the time has come for us to reexamine the manner in which the Government does its business. We must not assume that because we did something last year—or 50 years ago—that we must do the same thing and do 5

percent more of it this year. First, we must question whether the Government should be engaged in a program or activity at all. If we in Congress determine that the program or activity is an appropriate one for the Federal Government, then we must reexamine the goal of the program and how to best reach that goal, even if it requires heading down a totally new path. But if we determine that a program or activity is no longer necessary, we must not shrink from our responsibility to eliminate it.

That can be very hard to do, but that's our job. I understand that something like 25 percent of today's Fortune 500 companies were not on that list a mere 25 years ago. That means that a quarter of the companies on Fortune's list in the 1960's are no longer on it. Though mergers and acquisitions account for some of those no longer present, others apparently failed to adapt to changing times. The market is full of examples. The fax machine simply killed the telegram for the most part. Word processors rendered typewriters obsolete. Highways and airlines reduced the railroad industry, which once included the largest companies in the country, to a significantly smaller industry. Shopping centers moved downtown America out of town. But too often the Federal Government continues to do the same old thing, year after year, because that's the way it's always done it. That mentality must change.

One of the problems with the Government is that once a program or activity is created, terminating it, regardless of its lack of merit, is extraordinarily difficult because that program or activity will have some constituency with a vested interest in its continuation. And that constituency will exert every pressure it can muster and exert to keep taxpayer subsidies flowing. I don't want to beat up on the agriculture sector, but it does offer one example. Certainly, we must do all we can to help stabilize agricultural markets, but most agriculture programs were put in place during the Great Depression when a much larger portion of the population lived off of the land, when farms were much smaller, and when production, technology, storage, transportation, and distribution were not nearly as sophisticated as today. I would favor even more sweeping reforms of many of those programs, but this bill only includes provisions that represent a realistic approach to what can be achieved.

In the last Congress, I cosponsored legislation to do precisely what Vice President GORE's National Performance Review has now begun; that is, to take a serious look at how the Government operates and how it can do better. A mere year ago, that bill attracted only a handful of cosponsors. However, last year's national elections

taught Congress an important lesson. People from coast to coast demanded that we in the Government accept responsibility for the Government machinery and that we make it work. Consequently, this year has brought us not only the National Performance Review but also several pieces of supportive legislation, including a bill that Senator KERREY and I authored, to examine the manner in which the Government manages itself. Our legislation anticipated that political pressures could undermine the best of ideas, so we attempted to provide the vehicle for implementing the hard choices that lay ahead. Therefore, we proposed the creation of a commission that would package a bundle of hard choices and force us to vote on the package as a whole without being able to take it apart brick by brick. Certainly, that will be the challenge facing the National Performance Review as it undertakes the task of implementing its recommendations. In my view, there comes a time when we in Congress have a responsibility to step back, take a look at the big picture, and make some big changes. Clearly, the American public thinks that time is now. And, so do I.

When I began this process approximately 6 months ago, I decided that the entire Federal budget should be scrutinized. So this bill reduces Government support for programs as varied as highway demonstration projects, delivery of electricity, use of public lands, communications networks, Federal employee benefits, and some pieces of the Federal health care system. It reexamines the manner in which the military manages its business. It directs the State Department to reexamine programs with similar missions and to coordinate them within the framework of a consistent foreign policy. It eliminates or reduces support for longstanding Federal programs that are no longer needed and which survive merely because of bureaucratic inertia or special interest pressures.

The public sees the Congress as the puppet of special interests, and Congress is criticized—rightly so, in many instances—for not being able or willing to make the hard decisions.

Recent polls show that 72 percent of Americans believe that the Federal Government wastes—and I quote—"a great deal." Let me repeat that statistic: 72 percent of the American public believes that the Federal Government spending involves a great deal of waste. Only 2 percent believe that the Federal Government does not waste very much. And that's less than the 3 percent who are not even sure.

The polls also find that the average respondent pegged the amount of Government waste in the Federal budget at 37 percent. That's an incredible number, 37 percent. It's more than the en-

tire defense budget. More than all medical spending. More than all that we spend on Social Security or on all domestic spending. Clearly, the pundits have created some impressions that are not entirely true, but by the same token, there's enough wrong to recognize a need for an overhaul.

So, it's time for us to step up to the plate and make some hard choices. This bill makes a responsible effort. Many of the programs I propose eliminating or curtailing were put in place four or five decades ago. Since then, the world changed, needs have shifted, yesterday's policy justifications are no longer applicable, but most of the programs remain.

It is irresponsible for us not to look at every program 20 or 30 years old and ask, What is its mission? Has it accomplished its mission? Do we still need it? Is there a better way?

For each item in this legislation, I asked those questions, and determined that the original intent no longer applies, that the need no longer exists, or that there is a better way to accomplish the intended mission.

I suppose what surprised me the most about the process of preparing this legislation was discovering how many of our spending programs were born before many of us in this Chamber could even vote. I question how many of us would support many of these same programs if they were to be introduced today as new legislation. Yet, entrenched as they are, we continue to support them year after year on the grounds that if they were necessary decades ago, they must still be necessary today. It's time to clean house and weed the garden. We know that. We simply need the collective political courage to do it.

When I started this detailed review of various budgetary items earlier this year, my list was somewhat longer, but the Reconciliation Act contained approximately \$40 billion in spending cuts I was intending to include in this bill. Even so, this legislation proposes more than \$100 billion in deficit reduction. Vice President GORE's NPR recommendations could, according to estimates, result in Federal Government savings of an additional \$108 billion. I am very supportive of that process and look forward to participating in implementing as many of those proposals as possible. The American voter has demanded and deserves no less.

I invite my colleagues to join me and the American people in this quest for a better, more responsive government.

Mr. President, I ask unanimous consent that a summary of the bill be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

#### SUMMARY OF LIEBERMAN DEFICIT REDUCTION PROGRAM

This summary of the provisions contained in Senator Lieberman's Federal Spending

and Deficit Reduction Act of 1993 contains estimates of cost savings. Those estimates are based upon estimates prepared by the Congressional Budget Office in February, 1993 in its annual compilation of spending and revenue options as required by P.L. 93-344. In several cases the savings do not match precisely with the original CBO estimates because this legislation itself varies somewhat from the CBO suggestions. In addition, various provisions contained in the original draft passed the Congress while this bill was being prepared, so those sections are not included in this final bill.

All estimated savings are approximations based upon CBO baselines.

Sec. 101. Focus Missile Defense Efforts on Theater Defenses and limit SDI primarily to R&D (5-year savings: Approximately \$38 Bil).

President Bush's SDI program was intended to provide comprehensive coverage of the US from intercontinental missile attacks by 1997 at an anticipated cost of \$39.4 billion over the next five years. That initiative would have abrogated the 1972 ABM treaty, requiring renegotiation. This proposal would reduce funding for 1994-1998 to \$3.3 billion per year (or approximately \$18 billion over five years) and would provide funds for the development of theater defenses, R&D of ABM-compliant SDI, and related overhead and R&D. It would comply with the ABM treaty, be ready within approximately 10 years, and save more than \$20 billion.

The second aspect of this provision would focus most funding for ballistic missile defenses on theater (less-than-inter-continental range) missiles. This option would not reduce the budget for theater missiles but would decrease the total budget for the National Missile Defense (NMD) program from \$39 billion to \$22 billion over five years. This option would limit the NMD program to research, effectively delaying deployment of a national missile defense system until the middle of the next decade.

Sec. 102. Scale back DOE's weapons production and maintenance activities to support an arsenal of 4,000 warheads (5-year savings: Approximately \$5.5 Bil).

Reducing the US nuclear arsenal to 4,000 warheads would save more than \$2 billion per year. With this inventory limit, DOE would satisfy START while being able to economize its operations. This would reduce warhead production by two-thirds and also would permit DOE to shut down certain unneeded reactors resulting in an immediate savings alone of \$200 million.

Sec. 103. Reduce DOE's nuclear research and development (5-year savings: Approximately \$1.2 Bil).

Nearly \$2 billion of the DOE's funding goes to weapons RD&T. A 10-percent reduction in RD&T through 1996 and a 40-percent reduction beginning in 1997 would save \$700 million a year. This option is consistent with the Energy and Water Development Appropriations Act of 1993 which mandates a temporary ban on nuclear testing.

Sec. 104. Use early retirement incentives to reduce military personnel (5-year savings: Approximately \$2.9 Bil).

Accelerating the drawdown of the armed services' use of early retirement incentive for those with 15-19 years of service produces savings in long-term retirement costs. Otherwise, those personnel would wait several years until they were eligible for normal retirement and slow the promotion of more junior personnel. This program would expire in 1995 to avoid an entrenched view of retirement after 15 years.



Sec. 105. Revamp military family housing. (5-year savings: Savings could reach \$2.3 Bil. but are not included in these totals. Requires study.)

DOD provided housing costs \$11,000 per year which is more expensive than cash housing allowances which average \$7,000 per year. The percentage seeking housing is expected to increase from 30 to 35 percent over the next four years. Most DOD housing is almost 50 years old, much of which soon will require replacement or revitalization. This option requires the Secretary of Defense to examine options for reducing the cost of military family housing because private sector costs appear to be lower than government costs. Depending upon the Secretary's decisions, savings could total \$2.3 billion.

Sec. 106. Reduce and reshape DOD civilian work force (5-year savings: Approximately \$11.4 Bil.).

Since 1982, the Department of Defense the ratio of military personnel to civilian personnel has dropped from 2.1 military employees for each civilian employee to 1.9 to 1. The current trend indicates that the ratio is expected to decline further to 1.8 to 1 by 1994. During that same time, pay scales have increased one full grade level. Savings would accrue if the ratio returned to 2.0 to 1 and if the grade creep were reversed through attrition and a partial hiring freeze. This provision anticipates that the 2.0 to 1 ratio can be achieved by September 30, 1997.

Sec. 107. Consolidate and downsize DOD's recruiting process (5-year savings: Approximately \$1.3 Bil.).

DOD spends \$2 billion and devotes 30,000 work-years at 6,600 recruiting stations, resulting in an average of 10 active recruits and 21 reserve recruits per recruiter. This proposal requires the Defense Department to introduce efficiencies to operate its recruiting effort to achieve the same level as the 1984-89 level when the average was 14 active recruits and 27 reserve recruits per recruiter.

Sec. 108. Reduce federal subsidies for non-necessity merchandise (5-year savings: Approximately \$2.1 Bil.).

The merchandise sales system, originally established to assure access to merchandise at remote bases and now available to a wide range of beneficiaries, currently provides an average price reduction of 25 percent compared with civilian prices. Savings would result from a gradual reduction of approximately one-quarter the benefit with subsidy reductions directed at non-necessities. Various protections built into this provision give the Secretary the authority to assure that these subsidy reductions cause no hardship.

Sec. 109. Assign additional peacetime duties to military personnel (5-year savings: Approximately \$1.8 Bil.).

Approximately 250,000 civilian and 190,000 military personnel provide operating support (medical, engineering, maintenance) at military bases. Savings would result from shifting 10,000, or 4 percent, of the civilian positions to military personnel. The Secretary has the discretion to assure that any changes do not detract from the military skills required of military personnel.

Sec. 110. Increase support of U.S. forces by host nations (5-year savings: Approximately \$5.0 Bil.).

In 1991, the U.S. entered burden sharing agreements with Japan (75 percent of costs excluding salaries) and South Korea (33 percent of costs excluding salaries). This provision anticipates similar savings by applying a similar model, based upon burden sharing range achieved with other host nations, sub-

ject to the discretion of the Secretary of Defense, to other countries where U.S. armed forces are stationed.

Sec. 201. Eliminate redundant foreign affairs activities in State Department (5-year savings: Approximately \$0.7 Bil.).

Various new, small subagencies have evolved at the State Department. Given the end of the Cold War, many of these subagencies and their missions may not be as critical in the new world order. This provision gives the Secretary of State the authority to assess the real needs of the State Department, to consolidate those subagencies along harmonized lines of authority, and to eliminate funding for redundant and no longer necessary subagencies and activities. This would return funding of State Department activities to the 1984 level, during the middle of the Cold War before costs began creeping upward, after adjusting for inflation. This provision would save tax dollars while making State Department operations more efficient. This estimate assumes half the savings that CBO indicated were possible.

Sec. 301. Reduce deficiency payments to farmers participating in USDA commodity programs by lowering target prices (5-year savings: Approximately \$22.4 Bil.).

Feed grain producing farmers may participate in federal commodity programs and receive deficiency payments for the difference between the market price of a crop and a target price. Reducing target prices by 6 percent per year would save \$22 billion over five years. This would increase the degree to which farmers respond to market prices rather than to government benefits. Farm income would not fall as much as would outlays because some farmers would choose not to participate in commodity programs. These farmers, released from the program requirement of leaving acreage idle, could generate income from additional production. Financial payments to needy farmers would be preferable to deficiency payments, which go mostly to large, usually wealthy farmers.

Sec. 302. Raise the proportion of each farmer's base acreage ineligible for deficiency payments from 15 percent to 35 percent (5-year savings: Approximately \$7.3 Bil.).

Feed grain producing farmers may participate in federal commodity programs and receive deficiency payments for the difference between the market price of a crop and a target price. This difference is multiplied by the program yield assigned to the farm, times "payment acres". Payment acres equal 85 percent of the farm's crop acreage base. Reducing payment acres to 65 percent of the farm's crop acreage base would reduce program spending by \$7.3 billion over five years. It would also encourage farmers to make planting decisions in response to market conditions rather than in anticipation of the benefits provided by farm programs.

Sec. 303. Reduce costs for the dairy price support program by requiring producer contributions (5-year savings: Approximately \$0.9 Bil.).

The incomes of dairy producers are protected through minimum price supports and import quotas. On a practical level, these supports are often implemented by the federal government through direct purchases from producers. Those supplies are often used for nutrition programs and foreign assistance, and therefore, do not interfere with market forces. Instead of cutting price supports, many dairy producers favor these assessments as a way to maintain the price supports. This option fractionally increases the assessments levied on dairy farmers' production. Compared to adjusting in price sup-

port programs, this option is straightforward and relatively easy to administer.

Sec. 304. Reform milk marketing orders (5-year savings: Approximately \$1.1 Bil.).

Milk marketing orders were first enacted in the 1930s to aid dairy farmers by stabilizing supplies and prices in more than 40 separate regions around the country. Their original purpose was to dampen price swings in certain hard-to-reach areas when long-distance transportation was prohibitively expensive. Regional producers may petition the Secretary of Agriculture for a regional restriction on production who administers a vote by the regional producers and then allocates the production quotas if the producers vote in favor of the restriction. In the last sixty years, improved transportation systems and new technologies have significantly reduced the underlying reasons for the original legislation. Eliminating these pricing regulations would better regulate milk production and reduce government intervention in the market at a time when fluid milk makes up a much smaller part of the food market than it did half a century ago.

Sec. 305 and 306. Eliminate federal support programs for wool, mohair, and honey (5-year savings: Approximately \$0.7 Bil.).

This provision would eliminate federal programs that provide support to producers of wool, mohair, and honey, saving \$760 million over five years. The wool and mohair programs were originally implemented after World War II to encourage production when wool was considered a strategic material. Wool and mohair are no longer strategic materials. This option would also eliminate \$60 million over 5 years of subsidies to honey producers because price supports are no longer necessary for the fulfillment of the program's original objective of encouraging crop pollination.

Sec. 321 and 322. End the federal crop insurance program and replace it with standing authority for disaster assistance (5-year savings: Approximately \$1.9 Bil.).

Less than half of the nation's eligible acres are insured against disaster by the Federal Crop Insurance Corporation (FCIC). Because so few farmers have disaster insurance, Congress has been encouraged to enact laws providing disaster assistance. This option would eliminate the FCIC and replace it with federal disaster assistance, thereby saving \$2.4 billion over five years.

Sec. 331. Eliminate Agriculture Trade & Development Act of 1954 Title I Sales and Title III Grants (5-year savings: Approximately \$3.3 Bil.).

These grants were enacted when the lack of foreign exchange convertibility limited exports of surplus commodities. While this program financed 33 percent of all agricultural exports in the 1950s, today it supports only 2 percent. Those receiving these commodities are unlikely to become commercial customers. Disposing of surpluses in the affected commodities is no longer a problem. In fact, many lesser developed countries which purchase these commodities resell them to generate currency. Consequently, experts suggest that this is not an efficient program. Humanitarian and emergency feeding programs would be unaffected.

Sec. 332. Eliminate interest rate subsidies provided by the REA (5-year savings: Approximately \$0.7 Bil.).

The Rural Electrification Administration (REA) provides and guarantees low-interest loans to electric and telephone utilities that serve rural areas. The REA played a great role in the original electrification of rural

America, but most critics see it as having outlived its usefulness. Raising the interest on the direct loans it provides and charging lenders a 1-percent origination fee on new guarantees could reduce outlays by \$660 million from 1994-1998.

Sec. 333. Streamline the operation of farm agencies' field offices (5-year savings: Approximately \$0.5 Bil).

The Department of Agriculture (USDA) has four agencies whose local field offices, used to administer farm programs, extensively overlap. This highly decentralized operational structure is inefficient and costly. Collocation and consolidation of USDA field offices plus resource sharing could allow administrative funding to be cut by up to \$500 million over the 1994-1998 period.

Sec. 401. Eliminate below-cost timber sales from national forests (5-year savings: \$0.2 Bil).

The Forest Service manages federal timber sales from 119 national forests in the national system at a net profit in 1992 of \$100 million. Seven of the nine Forest Service regions are operating at a huge loss. This provision eliminates below cost timber sales in several regions so that the federal government can reduce these losses.

Sec. 402. Reduce federal support for Tennessee Valley Authority activities (5-year savings: Approximately \$0.6 Bil).

The Tennessee Valley Authority (TVA) receives \$135 million of federal support annually for its stewardship of its lands. Eliminating many of the activities supported by federal funds and increasing the funding from nonfederal sources could reduce outlays by \$580 million for the 1994-1998 period. Because TVA's stewardship activities are necessary to support its power system, these costs should be borne by users of this power, saving the government \$70 million a year.

Sec. 403. Debt repayment for hydroelectric power projects (5-year savings: Approximately \$1.0 Bil).

The government is required to recoup the \$19 billion it spent constructing hydroelectric projects. The remaining debt is \$14 billion. Requiring DOE to repay this debt with fixed annual principal and interest payments would increase Treasury receipts by over \$1 billion over five years. Even though this would increase electricity prices for the consumers involved, rates in the Pacific Northwest, the area most affected by this option, would still rank among the nation's lowest.

Sec. 404. Improve pricing for commercial uses of public lands (5-year savings: Approximately \$0.2 Bil).

The federal government is often undercompensated for the commercial services it offers on the 700 million acres of US land it owns. Increasing grazing fees to fair market value would increase federal receipts by \$80 million over the 1994-1998 period. Increasing water sales to farms of over 960 acres to fair market value would increase receipts by \$75 million over five years. This option appropriately shifts the cost of these services from all taxpayers to only the actual commercial beneficiaries of the services.

Sec. 501. Reduce funding for unused and noneconomic highway demonstration projects (5-year savings: Approximately \$3.5 Bil).

The federal government will provide \$96 billion in highway grants to states during 1994-1998, with \$6 billion of that figure obligated to projects earmarked in the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and in annual appropriations bills. Congress could save approximately \$3.5

billion over 5 years by amending ISTEA to eliminate contract authority for demonstration projects that states are not implementing and refraining in the future from funding them through appropriations bills. Funding such demonstration projects encourages construction that neither states nor the DOT regard as being of primary importance. This provision would not be effective until March, 1994 so that it would not interrupt projects currently being considered.

Sec. 601. Impose a royalty on certain communications users of the radio spectrum (5-year savings: Approximately \$5.1 Bil).

Although the FCC already charges user fees to cover the cost of the licensing process, radio spectrum license holders profit from using this scarce public resource without compensating the public. Installing a royalty of 4 percent of gross revenues on new licensees subject to the spectrum auction provisions would raise an estimated \$5.1 billion between 1994-1998. Many licensees earn higher-than-average profits through their use of this public resource, and royalties would not affect the economic efficiency of service providers.

Sec. 602. Impose user fees on the inland waterway system (5-year savings: Approximately \$2.2 Bil).

Under current law, the federal government recoups only part of the cost of this nation's inland waterways, and does so with a fuel tax. Imposing user fees high enough to fully recover construction, operation, and management costs would reduce the federal deficit by \$2.2 billion over five years. In addition, reducing subsidies to water transportation should improve resource allocation by leading shippers to choose the most efficient transportation route rather than the most heavily subsidized one.

Sec. 701. Prefund the government's share of federal retiree's health insurance (5-year savings: Approximately \$11.6 Bil).

Upon retirement, 85 percent of federal workers continue their employer provided health insurance. These costs are not recognized until after retirement (i.e., pay-as-you-go) so that actual annual costs are understated. This proposal resembles the changes the private sector is now being required to publicly report. Prefunding would result in interest income and a more accurate reporting of government costs and obligations.

Sec. 702 and 703. Change vacation leave and overtime practices for certain managers and supervisors (5-year savings: Approximately \$0.1 Bil).

Approximately 8,000 members of the federal government's Senior Executive Service (SES) are permitted to accumulate leave without a cap. Most federal employees are permitted to accumulate no more than 240 hours of leave with any excess accumulation expiring. This provision would apply the same rules to the SES as to other federal employees for leave accumulation. It would specifically not apply to administratively uncontrollable overtime for managers and supervisors engaged in criminal investigations.

Sec. 801. Charge a fee for Supplemental Medical Insurance claims that are not billed electronically (5-year savings: Approximately \$0.6 Bil).

Less than half of almost 600 million claims and more than 1.1 billion items under Medicare's Supplemental Medical Insurance are submitted on paper rather than electronically each year. Medicare would provide the software at cost and reduce reimbursements by \$1 for each item not billed electronically. This would cut costs and speed processing.

Sec. 802. Capture foreign import rents on textiles, apparel, and sugar (5-year savings: Approximately \$15.5 Bil).

The U.S. imposes quotas on various imports to protect domestic producers. The quotas increase the price of imports in the U.S. above the marginal cost of producing them overseas, creating an economic rent. The U.S. government negotiates quotas for U.S. goods with foreign governments. Foreign governments sell these quota allotments to exporters in their countries. This proposal suggests that the U.S. government auction the quotas so that it, rather than foreign governments, capture those economic rents created by quotas. In addition to recapturing the quota rents from the foreign countries, the prices at which the quotas sell would provide information necessary for Congress to better calculate tariff rates.

Sec. 901. Permit departments and agencies to retain half of their annual budget savings for innovation fund to be used to improve debt collection and technology and to provide bonuses for employees who generate savings ideas (5-year savings: Approximately \$10.0 Bil).

The National Performance Review, the Progressive Policy Institute and David Osborne in his writings on "Reinventing Government" suggest that empowering governmental departments, agencies, and personnel could result in meaningful efficiencies and savings. This suggestion follows an NPR recommendation that departments and agencies be permitted to retain half of their fiscal year savings for placement into an Innovation Fund. Those funds could then be used for debt collection, technology improvements, and efficiency bonuses for employees who generate the ideas that result in savings. Osborne estimated that this could result in \$10-20 billion in savings per year or \$50 to \$100 billion over five years. This estimate is more conservative, based on 10 percent of that amount.

#### ALREADY INTRODUCED

S. 432. Streamlining government operations 5-year savings: Approximately \$25 billion.

Economic analyst Robert Shapiro suggests that a 3-percent budget cut for the operations of all federal agencies and departments would force an increase in productivity similar to private industry and would save more than \$2 billion per year. Similarly, an underlying principle of the Lieberman government streamlining bill, S. 432, is that across the board efficiencies both in government operations and by government contractors could result in significant savings. Excluding federal disbursements for interest on the debt, Social Security, pensions, and non-Medicare means tested mandatory spending, which do not lend themselves to operational efficiencies, federal spending is approximately \$700-800 billion. A 3-percent savings through operational efficiency could result in annual savings of more than \$20 billion per year. In an effort to be conservative, this proposal estimates that one-fourth of that amount should be attainable. This legislation was directed at the same issues addressed by the NPR and estimates savings approximately one-fourth of NPR's estimate of savings that could be achieved by implementing its recommendations.



Summary—JIL budget cut list  
(In billions of dollars)

Section and description	Estimated 5-yr sav- ings
101: Focus missile defense efforts on theater defenses and limit SDI primarily to R&D .....	38.0
102: Scale back DOE's weapons production and maintenance activities to support an arsenal of only 4,000 warheads .....	5.5
103: Reduce DOE's nuclear R&D .....	1.2
104: Use early retirement incentives to reduce military personnel .....	2.9
105: Revamp military family housing .....	0
106: Reduce and reshape DOD civilian work force .....	11.4
107: Consolidate and downsize DOD's recruiting process .....	1.3
108: Reduce Federal subsidies for non-necessity merchandise .....	2.1
109: Assign additional peacetime duties to military personnel .....	1.8
110: Increase support of U.S. forces by host nations .....	5.0
201: Eliminate redundant foreign affairs activities in State Department .....	.7
301: Reduce deficiency payments to farmers participating in USDA commodity programs by lowering target prices .....	22.4
302: Raise the proportion of each farmer's base acreage ineligible for deficiency payments from 15 percent to 35 percent .....	7.3
303: Reduce the costs for the dairy price support program by requiring producer contributions .....	.9
304: Reform milk marketing orders .....	1.1
305 and 306: Eliminate Federal support programs for wool, mohair, and honey .....	.7
321 and 322: End Federal crop insurance program and replace it with standing authority for disaster assistance .....	1.9
331: Eliminate Agriculture, Trade & Development Act of 1954 title I sales and title III grants .....	3.3
332: Eliminate interest rate subsidies provided by REA .....	.7
333: Streamline the operation of farm agencies' field offices .....	.5
401: Eliminate below-cost timber sales from national forest .....	.2
402: Reduce support for TVA activities .....	.6
403: Debt repayment for hydroelectric power projects .....	1.0
404: Improve pricing for commercial uses of public lands .....	.2
501: Reduce funding for unused and noneconomic highway demonstration projects .....	3.5
601: Impose a royalty on certain communications users of the radio spectrum .....	5.1
602: Impose user fees on the Inland Waterway System .....	2.2
701: Prefund the Government's share of Federal retirees' health insurance .....	11.6
702 and 703: Change vacation leave and overtime practices for senior managers and supervisors .....	.1
801: Charge a fee for supplemental insurance claims that are not billed electronically .....	.6
802: Capture foreign import rents on textiles, apparel, and sugar .....	15.5
901: Permit departments and agencies to retain half of their annual budget savings for innovation fund to be used to improve debt collection and technology and to provide bonuses for employees who generate savings ideas .....	10.0
Total .....	159.3
Already introduced—S.432: Government streamlining savings from increased operational efficiency .....	25.0
In Reconciliation Act of cosponsored:	
Use IRS to identify unreported income of households receiving rent subsidies .....	1.7
Charge royalties and holding fees for hardrock mining on Federal lands (S. 257) .....	.6
Replace guaranteed student loans with direct loans .....	6.7
Extend expiring provisions for Medicare as secondary payer .....	3.9
Auction licenses to use new electromagnetic .....	3.5
Continue existing user fees (customs, nuclear reg. patent & trademark, vessel tonnage, rail safety) included in Budget Act of 1990 .....	4.5
IRS enforcement improvement .....	20.0
Total .....	40.9
Total savings from legislation listed above .....	225.2*

By Mr. DECONCINI:

S. 1551. A bill to provide for the use of Department of Defense golf courses by the general public, and for other purposes; to the Committee on Armed Services.

MILITARY FAIRWAY FAIRNESS ACT OF 1993

Mr. DECONCINI. Mr. President, I am introducing a bill today which addresses a well-known perk open only to those in the military. I am sure most of the Members of this body are familiar with the legislation I sponsored last Congress and again this year on this subject. That legislation eliminates many of the special privileges available to Government employees, including the exclusive use of military golf courses by military personnel.

During last year's Presidential campaign, the media, the executive branch, and the Congress devoted a great deal of time berating the outrageous and exorbitant costs incurred at public expense by senior Government officials for special privileges such as gyms, dining rooms, Government aircraft and vehicles for personal business, and medical benefits. As a result, we made some changes. In the Senate, we started paying for the use of the gym and now pay an annual fee for medical services.

One of the first acts President Clinton took upon taking office was to cut back the use of private limousines, fleet vehicles for senior Government officials, and use of Government aircraft for personal use. Clearly, President Clinton heard the message of the American public in the last election that business as usual could not continue. While I applaud the actions taken by President Clinton, I do not feel they went far enough.

I have spent a great deal of time looking at military golf courses. On military bases across the country military personnel have exclusive use of golf courses on base. The number of golf courses on military bases totals 176. Opening these courses to the public and charging reasonable fees for use, these courses could bring in a substantial amount of revenue for the General Treasury. According to a formula devised by Golf Digest magazine, this could total just under \$100 million per year.

Golf is the fastest growing major participant sport in America. The number of amateur golfers in the United States has increased 40 percent in the past 5 years from 19.9 million to 27.8 million. In order to meet the expected demand, the game must open more than one new golf course per day every day between now and the year 2000. What would be better than to meet the demand, provide opportunity for private industry, provide the public with more golf courses and generate funds to reduce the deficit.

The Department of Defense should not be in the business of running and maintaining golf courses. Since I became interested in this issue DOD has refused to be forthcoming on revenues generated by their golf courses. As a result, I have gone to the experts at Golf Digest for their estimates. I have a formula which demonstrates how these courses can easily send money back to the Treasury. The formula is based on information provided by Golf Digest magazine. It assumes 18-hole green fees of \$15 and a cart rental fee of \$10. In addition, there would be a cost of \$75,000 for professional management of the course, and \$350,000 in annual course maintenance costs.

Golf Digest estimates that if a course generates 35,000 rounds per year it would have a total net income of

\$250,000. In this area, the two courses at Andrews Air Force Base easily exceed that number with a total of 90,000 rounds per year. So if we take the estimated 200 18-hole military golf courses and multiply it by \$500,000—for 45,000 rounds of golf—you could generate almost \$100 million net income.

It wasn't long ago that we debated the Budget Reconciliation Act. Virtually every member of this body said they wished the Budget Agreement called for additional spending cuts. This legislation would raise additional revenue for deficit reduction without cutting services, or eliminating the use of these courses for the military. There would be an exception for golf courses at facilities or installations outside the United States or any within the United States designated by the Secretary of Defense as a remote or isolated location. Further, the bill requires that all military golf courses be open to the public. This bill would not take this perk away from military personnel but would only remove their exclusive use by military personnel. The Secretary of Defense may subsidize fees for active and retired military personnel and give priority use of the golf courses to these individuals. The fees for nonmilitary shall be based on rates consistent and competitive with the rates in the relevant local community.

In order to ensure that activities currently funded by the existing fees collected continue, the amendment would permit 10 percent of the gross revenues generated from these golf courses to be retained by the base from which those funds are derived. These funds could then be used for morale, welfare, and recreation purposes on each base, including the operation and maintenance of golf courses. The remainder would be deposited in the general fund and used only for deficit reduction purposes. It is unclear how much revenue is currently collected for the morale, welfare, and recreation fund from the existing fee structure, but I believe that the 10 percent provided in this legislation would not only meet the current level of revenue raised for the MWR fund, but exceed it.

As I stated earlier, many in this body have rightfully argued for more spending cuts and further deficit reduction. This legislation represents a real opportunity to reduce the deficit and does not result in a loss of the opportunity for military to play golf on their own courses.

Mr. President, the time is ripe for this legislation. It is consistent with the goals and objectives of Vice President GORE'S National Performance Review and will result in real additional revenue to the Federal Government.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1551

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Military Fairway Fairness Act of 1993".

**SEC. 2. USE OF DEPARTMENT OF DEFENSE GOLF COURSES BY THE GENERAL PUBLIC.**

(a) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is amended by adding at the end the following new section:

**"§ 2246. Department of Defense gold courses: use by the general public**

"(a) LIMITATION.—Except as provided in subsection (b), each golf course equipped, owned, operated, or maintained at a facility or installation of the Department of Defense shall be open to use by the general public.

"(b) EXCEPTION.—Subsection (a) does not apply to a golf course at a facility or installation outside the United States or at a facility or installation inside the United States at a location designated by the Secretary of Defense as a remote and isolated location.

"(c) USE OF GENERATED REVENUES.—(1) Not more than 10 percent of any gross revenues generated during a fiscal year from the operation of a golf course to which subsection (a) applies may be retained by the operator of the golf course. Any such gross revenues that are retained under this paragraph may be used only to maintain such course or to support morale, welfare, or recreation activities of the military personnel at the facility or installation. Any such gross revenues generated during a fiscal year that are not retained under this paragraph shall be deposited in the General Fund of the Treasury and used only for Federal budget deficit reduction.

"(2) The Secretary of Defense shall annually submit to the Congress a report that identifies in detail how the revenues retained under paragraph (1) have been expended.

"(d) FEES.—The Secretary of Defense may subsidize for active and retired military personnel any fees imposed by the Secretary for the use of the golf course and give priority access to the golf course for such personnel. Fees imposed for nonmilitary persons for the use of the golf course shall be based on rates that are competitive with golf fee rates in effect in the relevant local community.

"(e) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out this section."

"(b) CLERICAL AMENDMENT.—the table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

"2246. Department of Defense Golf courses: use by the general public."

By Mr. WARNER:

S. 1552. A bill to extend for an additional 2 years the authorization of the Black Revolutionary War Patriots Foundation to establish a memorial; to the Committee on Energy and Natural Resources.

**BLACK REVOLUTIONARY WAR PATRIOTS  
MEMORIAL**

Mr. WARNER. Mr. President, today I am introducing legislation to extend for 2 years the authorization for the Black Revolutionary War Patriots Memorial to commemorate the valuable contributions of more than 5,000 Afri-

can-Americans who served this Nation during the Revolutionary War.

The Black Revolutionary War Patriots Foundation, as the sponsor of the memorial, is authorized by the Congress to design and construct a memorial in Constitution Gardens on the National Mall to honor slaves and free black persons who sacrificed their lives and joined our Nation's fight for independence.

The project's authorization will expire on October 27, 1993. The Congress must provide a 2-year extension so that there can be for the first time a depiction of the consistent role of African-Americans in the making of American history.

The Black Revolutionary War Patriots Foundation has made significant progress since it was first authorized in 1986 to raise funds and commission a design to capture this untold story of our American heritage. The location in Constitution Gardens has been approved and the conceptual design of the memorial has been reviewed by the National Capital Planning Commission and the Fine Arts Commission.

The project has encountered some delays due to fundraising difficulties. The memorial is estimated to cost \$6 million to construct.

To overcome these delays, the Patriots Foundation has made major changes in their organization, hired a proven fundraising organization, and obtained significant financial support from General Motors Corp. to underwrite the administrative costs so that all donations will be dedicated to constructing the memorial.

Mr. President, I have been associated with this project since its inception because it is a significant chapter in the formative year's of our young democracy that is known to few Americans. I am committed to the memorial's completion and believe the extension I propose today will allow the foundation to accomplish its mission.

I recognize that others may offer an alternative proposal to ensure the completion of this project. I welcome all approaches and believe each option should be reviewed thoroughly by the appropriate committee.

My objective in introducing this legislation today is simply to ensure that this memorial becomes a reality so that all Americans will learn of the pivotal role played by free blacks and slaves during our American Revolution.

Mr. President, I ask unanimous consent that the text of my legislation be printed in the RECORD following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1552

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding*

section 10(b) of Public Law 99-652, the legislative authority for Black Revolutionary War Patriots Foundation to establish a commemorative work (as defined by such Public Law) shall expire at the end of the nine-year period beginning on the date of enactment of such authority.

**ADDITIONAL COSPONSORS**

S. 11

At the request of Mr. BIDEN, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 11, a bill to combat violence and crimes against women on the streets and in homes.

S. 235

At the request of Mr. ROTH, his name was added as a cosponsor of S. 235, a bill to limit State taxation of certain pension income, and for other purposes.

S. 401

At the request of Mr. CAMPBELL, the names of the Senator from Idaho [Mr. KEMPTHORNE] and the Senator from Kentucky [Mr. MCCONNELL] were added as cosponsors of S. 401, a bill to amend title 23, United States Code, to delay the effective date for penalties for States that do not have in effect safety belt and motorcycle helmet safety programs, and for other purposes.

S. 439

At the request of Mr. COATS, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 439, a bill to amend the Solid Waste Disposal Act to permit Governors to limit the disposal of out-of-State solid waste in their States, and for other purposes.

S. 486

At the request of Mr. HEFLIN, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of S. 486, a bill to establish a specialized corps of judges necessary for certain Federal proceedings required to be conducted, and for other purposes.

S. 833

At the request of Mr. GRASSLEY, the name of the Senator from South Carolina [Mr. HOLLINGS] was added as a cosponsor of S. 833, a bill to amend title XVIII of the Social Security Act to provide for increased medicare reimbursement for nurse practitioners, clinical nurse specialists, and certified nurse midwives, to increase the delivery of health services in health professional shortage areas, and for other purposes.

S. 993

At the request of Mr. KEMPTHORNE, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 993, a bill to end the practice of imposing unfunded Federal mandates on States and local governments and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations.



S. 1437

At the request of Mr. LAUTENBERG, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from New Jersey [Mr. BRADLEY] were added as cosponsors of S. 1437, a bill to amend section 1562 of title 38, United States Code, to increase the rate of pension for persons on the Medal of Honor roll.

S. 1478

At the request of Mr. PRYOR, the name of the Senator from Oregon [Mr. PACKWOOD] was added as a cosponsor of S. 1478, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to ensure that pesticide tolerances adequately safeguard the health of infants and children, and for other purposes.

## SENATE JOINT RESOLUTION 130

At the request of Mr. KEMPTHORNE, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of Senate Joint Resolution 130, a joint resolution designating October 27, 1993, as "National Unfunded Federal Mandates Day."

## SENATE JOINT RESOLUTION 134

At the request of Mr. BIDEN, the name of the Senator from Oregon [Mr. PACKWOOD] was added as a cosponsor of Senate Joint Resolution 134, a joint resolution to designate October 19, 1993, as "National Mammography Day."

## SENATE JOINT RESOLUTION 141

At the request of Mr. SARBANES, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of Senate Joint Resolution 141, a joint resolution designating October 29, 1993, as "National Firefighters Day."

## SENATE CONCURRENT RESOLUTION 31

At the request of Mr. DODD, the names of the Senator from Vermont [Mr. JEFFORDS] and the Senator from Maine [Mr. COHEN] were added as cosponsors of Senate Concurrent Resolution 31, a concurrent resolution concerning the emancipation of the Iranian Bahai community.

## AMENDMENTS SUBMITTED

DEPARTMENT OF DEFENSE  
APPROPRIATIONS ACT OF 1994MCCAIN (AND OTHERS)  
AMENDMENT NO. 1044

Mr. MCCAIN (for himself, Mr. SARBANES, Ms. MIKULSKI, Mr. CHAFEE, Mr. PELL, Mr. CAMPBELL, Mr. BROWN, and Ms. MOSELEY-BRAUN) proposed an amendment to the bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes; as follows:

At the end of the title of general provisions, insert the following:

SEC. . (a) Notwithstanding any other provision of law, none of the funds appropriated by this Act or any other Act, or otherwise made available, to the Department of Defense may be obligated to carry out a test program for determining the cost effectiveness of transferring to the private sector the mission of operating one or more preparatory schools for the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy.

REID (AND INOUE) AMENDMENT  
NO. 1045

Mr. REID (for himself and Mr. INOUE) proposed an amendment to the bill H.R. 3116, supra; as follows:

At the appropriate place in the bill, insert the following:

"SEC. . It is the sense of the Senate that—

"(a) the Secretary of the Air Force consider the comments of the appropriate representatives of the Duck Valley Reservation of the Shoshone-Paiute Tribes in making decisions on use of airspace above such reservation;

"(b) the interests of the Duck Valley Reservation of the Shoshone-Paiute Tribes receive the appropriate consideration under any pending or future National Environmental Policy Act process involving airspace over Duck Valley Reservation; and

"(c) to the extent practicable, airspace used for military training flights below 15,000 feet above ground level over the Duck Valley Reservation shall be over uninhabited areas of the reservation."

INOUE (AND STEVENS)  
AMENDMENT NO. 1046

Mr. INOUE (for himself and Mr. STEVENS) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 12 of the bill, line 17, after the word "installations", insert the following: "Provided further, That of the funds appropriated under this heading, \$1,000,000 shall be made available only for use by the Office of the Secretary of Defense for the exploitation of captured Iraqi Government documents relating to the Kurds and other minorities of northern Iraq: Provided further, That the funds in the preceding proviso may be made available for personal service contracts of Arabic-language linguists and may be exempt from competitive bidding requirements: Provided further, That of the funds appropriated under this heading, \$1,000,000 shall be made available only for the Defense Mapping Agency to evaluate and procure available imagery photographs and materials from successor states of the former Soviet Union: Provided further, That the Director of the Defense Mapping Agency shall report to the congressional Defense committees the availability of such imagery materials, priorities for acquisition and the process for the dissemination of such materials to Federal agencies, State and local authorities, academic institutions, and the private sector not later than March 15, 1994."

## EXON AMENDMENT NO. 1047

Mr. INOUE (for Mr. EXON) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. . It is the sense of the Senate that the Government of the United States and the Government of Saudi Arabia should work diligently and without delay to resolve satisfactorily the outstanding commercial disputes identified in the Department of Commerce letter, date May 27, 1992: Provided, That not later than February 1, 1994, the Secretary of Defense, after consultation with the Secretary of State and the Secretary of Commerce, shall submit a report to the Congress on the status of the process for the resolution of commercial disputes in Saudi Arabia and the prognosis for any of the disputes which remain unresolved.

## BINGAMAN AMENDMENT NO. 1048

Mr. INOUE (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 8, line 17, between "environment" and "insert the following: "Provided further, that of the funds appropriated in this paragraph, \$500,000 shall be available only for a study of the effects of uranium milling, including exposure to radon chemicals and uranium, on the health of those individuals employed in uranium mills in the southwestern United States during the period beginning on January 1, 1947 and ending on December 31, 1971".

## COATS AMENDMENT NO. 1049

Mr. STEVENS (for Mr. COATS) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 26, line 12, before the period, add: "Provided further, That of the funds appropriated under this heading, \$18,000,000 shall be available only for heavy armor modification for the high-mobility multipurpose wheeled vehicle".

## BOND AMENDMENT NO. 1050

Mr. INOUE (for Mr. BOND) proposed an amendment to the bill H.R. 3116, supra; as follows:

On page 157, between lines 9 and 10, insert the following:

SEC. 8142. Notwithstanding any other provision of law (including any regulation), with respect to the public sponsor of a primary levee located in the area that was affected by major, widespread flooding in the Midwest during 1993 and that was designed for a 5-year flood or a higher level flood, the eligibility of the public sponsor of the levee to receive assistance through the levee rehabilitation assistance program of the Army Corps of Engineers shall not be affected by the status of participation (or lack of participation) of the public sponsor in the program. A public sponsor of a levee who becomes eligible to receive assistance under the program pursuant to the preceding sentence may, not later than September 30, 1994, submit an application to participate in the program.

AUTHORITY FOR COMMITTEES TO  
MEET

## COMMITTEE ON FOREIGN RELATIONS

Mr. INOUE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Friday, October 15, 1993, at 10 a.m. to hold an ambassadorial nomination hearing on Mark Hambley, to be Ambassador to Lebanon.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. INOUE. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on "The Health Security Act: American Businesses and Workers Respond," during the session of the Senate on Friday, October 15, 1993, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN AFFAIRS

Mr. INOUE. Mr. President, I ask unanimous consent that the Subcommittee on Near Eastern and South Asian Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Friday, October 15, 1993, at 10:30 a.m. to hold a hearing on current developments in the Middle East.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON REGULATION AND GOVERNMENT INFORMATION

Mr. INOUE. Mr. President, I ask unanimous consent that the Governmental Affairs Subcommittee on Regulation and Government Information be authorized to meet during the session of the Senate on Friday, October 15, 1993, at 9:30 a.m. to hold hearings on the subject of international telemarketing fraud.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADDITIONAL STATEMENTS

##### FACES OF THE HEALTH CARE CRISIS

• Mr. RIEGLE. Mr. President, I rise once again in my continuing effort to put a face on the health care crisis in America. Today I want to tell the story of Randy Hubbard from Taylor, MI. Randy owns his own company and saw his health insurance premiums shoot up dramatically. As a result, he was forced to drop his coverage and risk not being covered in the event of a medical emergency.

Randy began his own business in 1987 on his own time while he continued to work full-time as an automotive engineer with Batten Engineering. He was insured through his employer at the time. In June 1990, when he was laid off from Batten, he began paying \$115 a month for medical coverage through the COBRA option. At this point he was devoting himself full-time to his own business, Race-Tech Engineering, which develops automotive products.

When his COBRA benefits ran out in November of 1991, Randy joined the National Association of Private Enterprise [NAPE] and purchased health insurance, through a plan they offered, for \$152 a month. One year later,

Randy's monthly premiums rose 20 percent to \$182 per month. Six months later they rose an additional 16 percent to \$211 per month. Over an 18-month period his premiums had risen 39 percent.

Randy simply could not afford this increase and had to drop his coverage. He was uninsured for 4 months until he joined an HMO through the local chamber of commerce, at a cost of \$148 per month.

Randy is extremely fortunate that he did not have a health care emergency while he was uninsured. He was forced to take that risk because he could not afford health insurance.

We need to make health insurance more affordable for all Americans, including entrepreneurs such as Randy Hubbard. Our citizens deserve the peace of mind that guaranteed coverage can bring. I will continue to do everything I can to work with my colleagues and President Clinton and First Lady Hillary Rodham Clinton to reform our health care system and provide access to affordable health care for all Americans. •

##### KARY B. MULLIS: SOUTH CAROLINA'S 1993 NOBEL LAUREATE

• Mr. HOLLINGS. Mr. President, I rise to congratulate Kary Mullis on winning the 1993 Nobel Prize in chemistry. Truth be told, Mullis' childhood friends and public school teachers in Columbia, SC, knew long ago that he was destined for brilliant achievements as a scientist. At Hand Junior High and Dreher High School, from which he graduated in 1962, he was surrounded by top-notch science teachers and supercompetitive peers. It was an atmosphere of academic excellence that distinguished Hand and Dreher as Columbia's elite secondary schools, and which produced a number of renowned scientists in addition to Mullis.

Mr. President, to attain the Nobel Prize is a great distinction for an individual, and reflects also on the quality of his upbringing and schooling. The prize is Kary Mullis' but forgive me for also feeling pride as a South Carolinian. I note that Kary Mullis was awarded the prize for inventing a technique for creating millions of clones of scarce DNA samples. I only wish we could find a way to clone scientists of Kary Mullis' caliber—as well as the superb schools that made his achievements possible. •

##### DEATH OF MORGAN P. HARDIMAN

• Mr. D'AMATO. Mr. President, I ask unanimous consent that additional remembrances of Morgan P. Hardiman, whose funeral was last Friday, be printed in the RECORD as follows:

##### THE WORDS OF MICHAEL T. KINSELLA, CHIEF OF STAFF

How do we know in the healthy vigor of enthusiastic youth that a friend and compan-

ion will falter too soon to a fatal end—cut short in career and challenge by a distant and distressing ailment?

How do we cope with the sudden decline of body and frame, when the mind continues acute and keen pursuing truth and faith in a puzzling world?

How do we answer the probes of sentiment and doubt, of what could have been and should have been in the face of what reality presents with finality and utmost consequence?

Only with love and respect for what and who we know our friend to be can we satisfy the anguish any being must feel at the passing too soon of such a man.

A fighter, convinced in virtue, by what is right; an advocate, committed even to unpopular but needed reform; an achiever, proven by worthy challenge and deserved success; a man of humor, honor and umbrage, capable of outrage steeped with conscience; we honor him and miss him dearly.

The only tribute worthy of the name is a conviction to do more; to do it better; to do it sooner than later—to do it with a full devotion of heart and mind; to do it for it is right and it is what Morgan would have done.

By our actions we remember him and he endures. That is memory. That is respect. That is love. He would want it no other way.

##### MORGAN P. HARDIMAN—EULOGY BY REV.

##### JOSEPH A. SOBIERAJSKI, S.J.

Chief among the things that the Book of Wisdom teaches is that God's ways are not our ways nor are ours His. That is particularly true when it comes to death. For even among Christians who hold as a central belief of faith that life, real life, comes only by first passing through death. It is difficult. Very difficult for us to deal with the palpable loss that we feel when someone that we love dies—especially when we see in that person a goodness. A concern. A compassion which has made a real difference in our lives. And when death comes at a time that we would consider the "prime" of life it is even more difficult and confusing.

I suspect that many of you who come here today feel that confusion at Morgan's death—a relatively young man, a man of intelligence, imagination, and compassion, a man, we would say, with a future. But I can assure you that Morgan did not share your confusion with you. Not at least in the last weeks of his life. For during those last weeks he knew with an ever growing confidence in his heart, what all of us should be lucky enough to learn, and that is very simply that he was loved by God, precious in God's eyes, and secure in knowledge that whatever happened he would be cared for and embraced by that God.

Please don't get me wrong—Morgan in no way thought of himself as a saint—he was well aware of how far he fell short of what he might be. But what he was taught by his family as a child, and what my fellow Jesuits at Regis High School, and Boston College subversively made part of his consciousness, and what John tells us in our second reading this morning—that "he"—"we" are children of God. And that a loving, patient parent never gives up, never loses hope in us.

What Morgan came to understand so deeply and so confidently, not about himself, but about God did not happen overnight—it was a seed long since planted in his heart and his soul. A seed that took root and became a conscious or unconscious guide for him during his life and work. In today's Gospel from Matthew, the Beatitudes, we hear how we as human beings are called to respond to God's



love. Morgan incorporated those Beatitudes into his life—he was a man that was able to see beyond self, and act on what he saw, knew and believed. From tutoring poor kids as a teenager at Regis, to the work that he did in Spanish Harlem during his days at NYU, to his deep conviction on the hill that something had to be done about the human destruction caused by drugs—about the need for education and rehabilitation as well as enforcement, to the genuine interest and concern he showed for his family and friends—always there to listen, to give advice (wanted or unwanted) all without judgment or condemnation. The Beatitudes were part of his life. They were his response to God's gift of himself in the people that made up his life. In those people as well as in the arts, drama, opera, Morgan found the beauty of God was never far from him.

His brother Jerry told me the other day that in his last weeks, Morgan saw real parallels between his own life and the narrator in Francis Thompson's poem "The Hound of Heaven." And from my last conversation with him, I know that to be true—Morgan saw himself as a man persuaded by God. What he saw, I know that he would like us to see too. Undoubtedly he saw himself in the opening lines of that poem:

I fled him, down the nights and down the days,

I fled him, down the arches of the years;

I fled him, down the labyrinthine ways

of my own mind; and in the midst of tears

I hid from him, and under running laughter.

But he also confidently knew himself and his relationship with God in these lines near the close of the poem:

Whom wilt thou find to live ignoble thee

Save Me, save only Me?

All which I took from thee I did but take,

Not for thy harms,

But just that thou might'st seek it in My arms.

All which thy child's mistake

Fancies as lost, I have stored for thee at home;

Rise, clasp My hand and come!

And Morgan "clasped" God's hand.

All of us gathered here today come as family, friends, associates who knew Morgan in different ways on different levels, and we each come with our own memories. For those closest to him they are personal and sacred memories of times shared in both the best and the worst of time, memories of laughter and of tears. We come with a sense of grief and a sense of loss that should not and cannot be denied. If Morgan were able to do so, however, I think that he would offer one last bit of advice welcomed or not, and that would be to "celebrate"—to celebrate not only his new life, but to celebrate that you and I as well as Morgan are loved by God. He would say, "Don't flee from that love—let it

embrace you, and allow yourself to respond to it in kind."•

#### JOHN MCKISSICK: AMERICA'S WINNINGEST FOOTBALL COACH

• Mr. HOLLINGS. Mr. President, I rise to salute yet another remarkable milestone in the career of Coach John McKissick of Summerville High School in South Carolina. When his Green Wave football team trounced its opponent 42-0 last Friday night, Coach McKissick celebrated his 406th victory—more wins than any other coach in the history of high school, college, or professional football.

Coach McKissick is one of those remarkable people about whom it is impossible to use too many superlatives. He was national coach of the year in 1980, and has won nine South Carolina State titles. Of far more importance, he has won the respect and affection of the Summerville community for his extraordinary service on and off the field for more than four decades. To the people of Summerville, he is beloved, first and foremost, as a teacher and role model. Across the years, he has coached more than 1,100 young men, teaching them not just the mechanics of football, but also discipline, teamwork, and loyalty.

Amos Alonzo Stagg could have been talking about John McKissick when he said, "No coach ever won a game by what he knows; it's what his player have learned." His greatest talents are as a teacher. Certainly, no one would claim that Summerville has won year after year on sheer raw talent. The critical difference has been John McKissick's skills at sharpening, improving, and motivating his players.

Mr. President, I salute Coach McKissick's singular achievement, as well as his more than four decades of distinguished public service in the Summerville community. I wish him all the best as he strives toward his next 406 wins at Summerville High School.•

#### PROGRAM

Mr. INOUE. Madam President, on behalf of the majority leader I would like to announce that on Monday,

votes will begin at 7 o'clock on matters that have been debated during the morning and afternoon hours. I concur with the vice chairman of the committee in that we will have to be here on time, at 10:30, to bring up the amendments, consider them, and resolve them. Otherwise we will be on this measure for the rest of the week.

We should also keep in mind that on Thursday next, the continuing resolution will expire. It may require the Senate and the Congress to act again to restore that. Otherwise this Government is out of business.

#### ORDERS FOR MONDAY, OCTOBER 18, 1993

Mr. INOUE. Madam President, on behalf of the majority leader I ask unanimous consent that when the Senate completes its business, it stand in recess until 10:30 a.m., Monday, October 18; that following the prayer, the Journal of proceedings be deemed approved to date; the time for the two leaders be reserved for their use later in the day, that the Senate then resume consideration of H.R. 3116, the Department of Defense appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECESS UNTIL 10:30 A.M., MONDAY, OCTOBER 18, 1993

Mr. INOUE. With that, Madam President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 2:45 p.m., recessed until 10:30 a.m., Monday, October 18, 1993.

#### CONFIRMATIONS

Executive nomination confirmed by the Senate October 15, 1993:

##### U.S. COAST GUARD

THE FOLLOWING OFFICER OF THE U.S. COAST GUARD FOR APPOINTMENT TO THE GRADE OF REAR ADMIRAL (LOWER HALF):

JOHN D. SPADE

## HOUSE OF REPRESENTATIVES—Friday, October 15, 1993

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We pray, O gracious God, that the lofty words we recite in our proclamations may find a home not only in our words but in our deeds. May the idea of justice find fulfillment in equitable treatment of all people; may the idea of unity and common purpose find fulfillment in understanding and respect; may the concept of honor find its achievement in esteem toward others, and may our belief in grace be expressed in a more civil spirit between every person. This is our earnest prayer. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. GALLEGLY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GALLEGLY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 226, nays 145, not voting 62, as follows:

[Roll No. 506]

YEAS—226

Andrews (ME)	Brown (OH)	Cramer
Andrews (NJ)	Bryant	Danner
Applegate	Byrne	Darden
Archer	Cantwell	de la Garza
Bacchus (FL)	Cardin	Deal
Baessler	Carr	DeFazio
Barca	Castle	Derrick
Barcia	Clayton	Deutsch
Barlow	Clinger	Dicks
Barrett (WI)	Clyburn	Dixon
Becerra	Coleman	Dooley
Beilenson	Collins (IL)	Durbin
Berman	Collins (MI)	Edwards (CA)
Bilbray	Combest	English (AZ)
Bishop	Condit	English (OK)
Bonior	Cooper	Eshoo
Borski	Coppersmith	Evans
Browder	Costello	Farr
Brown (FL)	Coyne	Fazio

Fields (LA)	Lancaster	Richardson
Filner	Lantos	Roemer
Fingerhut	LaRocco	Rose
Fish	Lehman	Rostenkowski
Flake	Levin	Rowland
Foglietta	Lewis (GA)	Roybal-Allard
Ford (MI)	Lipinski	Rush
Ford (TN)	Lloyd	Sabo
Frank (MA)	Long	Sangmeister
Frost	Lowey	Santorum
Furse	Maloney	Sarpalius
Gejdenson	Mann	Sawyer
Gephardt	Margolies-	Schenk
Geren	Mezvinsky	Schumer
Gibbons	Matsui	Scott
Gillmor	Mazzoli	Serrano
Gilman	McCloskey	Sharp
Glickman	McDermott	Shepherd
Gonzalez	McHale	Sisisky
Gordon	McInnis	Skaggs
Green	McKinney	Slaughter
Gutierrez	McNulty	Smith (IA)
Hall (TX)	Meehan	Smith (NJ)
Hamburg	Meek	Spratt
Hamilton	Menendez	Stark
Harman	Miller (CA)	Stenholm
Hastert	Miller (FL)	Strickland
Hastings	Mineta	Studds
Hayes	Minge	Stupak
Hefner	Mink	Swett
Hilliard	Moakley	Swift
Hoagland	Mollohan	Tanner
Hochbrueckner	Montgomery	Tejeda
Holden	Murtha	Thompson
Houghton	Myers	Thornton
Hughes	Natcher	Thurman
Hutto	Neal (MA)	Torricelli
Inglis	Obey	Trafigant
Inslee	Oliver	Tucker
Jefferson	Ortiz	Unsoeld
Johnson (GA)	Owens	Valentine
Johnson (SD)	Pallone	Velazquez
Johnson, E. B.	Pastor	Vento
Johnston	Payne (NJ)	Visclosky
Kanjorski	Payne (VA)	Volkmmer
Kaptur	Peterson (FL)	Waters
Kennedy	Peterson (MN)	Watt
Kennelly	Pickett	Waxman
Kildee	Pickle	Wheat
Kingston	Pombo	Whitten
Kleczka	Pomeroy	Williams
Klein	Poshard	Wise
Klink	Price (NC)	Woolsey
Kopetski	Rahall	Wyden
Kreidler	Rangel	Wynn
LaFalce	Reed	Yates
Lambert	Reynolds	

NAYS—145

Allard	Crapo	Grams
Armey	Cunningham	Grandy
Baker (CA)	DeLay	Greenwood
Ballenger	Diaz-Balart	Gunderson
Barrett (NE)	Dickey	Hancock
Bartlett	Doolittle	Hansen
Barton	Dornan	Hefley
Bereuter	Dreier	Herger
Billirakis	Duncan	Hobson
Bliley	Dunn	Hoekstra
Blute	Emerson	Hoke
Boehlert	Everett	Horn
Boehner	Ewing	Huffington
Bonilla	Fawell	Hutchinson
Burton	Fowler	Hyde
Buyer	Franks (CT)	Inhofe
Callahan	Franks (NJ)	Istook
Calvert	Gallely	Jacobs
Camp	Gallo	Johnson (CT)
Canady	Gekas	Kim
Clay	Gilchrest	King
Coble	Gingrich	Knollenberg
Collins (GA)	Goodlatte	Lazio
Cox	Goodling	Leach
Crane	Goss	Levy

Lewis (CA)	Porter	Smith (MI)
Lewis (FL)	Portman	Smith (OR)
Lightfoot	Pryce (OH)	Smith (TX)
Linder	Quillen	Snowe
Machtley	Quinn	Spence
Manzullo	Ramstad	Stearns
McCandless	Ravenel	Stump
McCollum	Regula	Talent
McCrery	Roberts	Taylor (MS)
McHugh	Rogers	Taylor (NC)
McKeon	Rohrabacher	Thomas (CA)
McMillan	Ros-Lehtinen	Thomas (WY)
Meyers	Roth	Torkildsen
Mfume	Roukema	Upton
Mica	Royce	Vucanovich
Michel	Saxton	Walker
Molinari	Schaefer	Walsh
Moorhead	Schiff	Weldon
Murphy	Schroeder	Wolf
Nussle	Sensenbrenner	Young (FL)
Oxley	Shaw	Zeliff
Packard	Shays	Zimmer
Paxon	Shuster	
Petri	Skeen	

NOT VOTING—62

Abercrombie	Engel	Neal (NC)
Ackerman	Fields (TX)	Oberstar
Andrews (TX)	Hall (OH)	Orton
Bachus (AL)	Hinchey	Parker
Baker (LA)	Hoyer	Pelosi
Bateman	Hunter	Penny
Bentley	Johnson, Sam	Ridge
Bevill	Kasich	Sanders
Blackwell	Klug	Skelton
Boucher	Kolbe	Slattery
Brewster	Kyl	Solomon
Brooks	Laughlin	Stokes
Brown (CA)	Livingston	Sundquist
Bunning	Manton	Synar
Chapman	Markey	Tauzin
Clement	Martinez	Torres
Conyers	McCurdy	Towns
DeLauro	McDade	Washington
Dellums	Moran	Wilson
Dingell	Morella	Young (AK)
Edwards (TX)	Nadler	

□ 1033

Mr. GRAMS changed his vote from "yea" to "nay."

Mr. ZELIFF changed his vote from "present" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. ORTON. Mr. Speaker, during rollcall vote No. 506 on approving the Journal, I was unavoidably detained. Had I been present, I would have voted "yea."

## PERSONAL EXPLANATION

Mr. BATEMAN. Mr. Speaker, I missed rollcall vote 506 due to my participation in meetings on the Defense Authorization Act for fiscal year 1994. For the record, had I been present I would have voted:

Rollcall 506, "yea."

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. GEPHARDT). The Chair now recognizes the gentleman from Texas [Mr. BONILLA] for the purpose of leading the House in the Pledge of Allegiance.

Mr. BONILLA led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER pro tempore (Mr. GEPHARDT). The Chair will take requests for 1-minute speeches later today.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H.J. Res. 111. Joint resolution designating October 21, 1993, as "National Biomedical Research Day";

H.J. Res. 218. Joint resolution designating October 16, 1993, and October 16, 1994, each as "World Food Day"; and

H.J. Res. 265. Joint resolution to designate October 19, 1993, as "National Mammography Day."

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the amendment of the House to the amendment of the Senate numbered 29 to the bill (H.R. 2493) "An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1994, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to a bill and joint resolution of the Senate of the following titles:

S. 1487. An act entitled the "Middle East Peace Facilitation Act of 1993."

S.J. Res. 21. Joint resolution to designate the week beginning September 19, 1993, as "National Historically Black Colleges and Universities Week."

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 537. An act for the relief of Tania Gil Compton;

S. 760. An act for the relief of Leticia Monatsi;

S. 1548. An act to amend the National Wool Act of 1954 to reduce the subsidies that wool and mohair producers receive for the 1994 and 1995 marketing years and to eliminate the wool and mohair programs for the 1996 and subsequent marketing years, and for other purposes; and

S. Con. Res. 47. Concurrent resolution to recognize the International Rescue Committee for its great humanitarian endeavors.

UNEMPLOYMENT COMPENSATION  
AMENDMENTS OF 1993

The SPEAKER pro tempore. The unfinished business is the de novo vote on the adoption of House Resolution 265.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. DREIER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 239, noes 150, not voting 44, as follows:

[Roll No. 507]

## AYES—239

Abercrombie	Fish	Machtley
Andrews (ME)	Flake	Maloney
Andrews (NJ)	Foglietta	Mann
Applegate	Ford (MI)	Margolies-
Archer	Ford (TN)	Mezvinsky
Bacchus (FL)	Frank (MA)	Matsui
Baessler	Franks (NJ)	Mazzoli
Barca	Frost	McCloskey
Barcia	Furse	McDermott
Barlow	Gallo	McHale
Barrett (WI)	Gedjenson	McKinney
Becerra	Gephardt	McNulty
Beilenson	Geren	Meehan
Berman	Gibbons	Meek
Bevill	Gilman	Mfume
Bilbray	Gingrich	Michel
Bishop	Glickman	Miller (CA)
Blackwell	Gonzalez	Minge
Boehlert	Goodling	Moakley
Bonior	Gordon	Mollohan
Borski	Grandy	Montgomery
Browder	Green	Morella
Brown (FL)	Greenwood	Murphy
Brown (OH)	Gutierrez	Murtha
Bryant	Hall (OH)	Natcher
Byrne	Hamburger	Neal (MA)
Camp	Hamilton	Obey
Cantwell	Harman	Oliver
Cardin	Hastings	Ortiz
Carr	Hayes	Owens
Chapman	Hefner	Pallone
Clay	Herger	Pastor
Clayton	Hilliard	Payne (NJ)
Clyburn	Hinchee	Payne (VA)
Coleman	Hoagland	Peterson (FL)
Collins (IL)	Hochbrueckner	Peterson (MN)
Collins (MI)	Holden	Pickett
Condit	Hoyer	Pickle
Cooper	Hughes	Pomeroy
Coppersmith	Inslee	Poshard
Costello	Jefferson	Price (NC)
Coyne	Johnson (CT)	Rahall
Cramer	Johnson (SD)	Rangel
Danner	Johnson, E. B.	Reed
Darden	Johnston	Regula
De la Garza	Kanjorski	Reynolds
DeFazio	Kaptur	Richardson
DeLauro	Kennedy	Roemer
DeLay	Kennelly	Rose
Dellums	Kildee	Rostenkowski
Derrick	Kleczka	Roukema
Deutsch	Klein	Roybal-Allard
Dicks	Klink	Rush
Dixon	Kopetski	Sabo
Dooley	Kreidler	Sanders
Durbin	LaFalce	Sangmeister
Edwards (CA)	Lambert	Santorum
Edwards (TX)	Lancaster	Sarpalius
English (AZ)	Lantos	Sawyer
English (OK)	LaRocco	Schenk
Eshoo	Lehman	Schroeder
Evans	Levin	Schumer
Farr	Lewis (GA)	Scott
Fazio	Lipinski	Serrano
Fields (LA)	Lloyd	Sharp
Flitner	Long	Shepherd
Fingerhut	Lowey	Sisisky

Skaggs  
Slaughter  
Smith (IA)  
Smith (NJ)  
Snowe  
Spratt  
Stark  
Strickland  
Studds  
Stupak  
Swett  
Swift  
Tanner

Tejeda  
Thomas (CA)  
Thompson  
Thornton  
Thurman  
Torricelli  
Traficant  
Tucker  
Unsoeld  
Valentine  
Velazquez  
Vento  
Visclosky

Volkmer  
Waters  
Watt  
Waxman  
Weldon  
Wheat  
Whitten  
Williams  
Wilson  
Wise  
Wyden  
Wynn  
Yates

## NOES—150

Allard	Gunderson	Nussle
Armey	Hall (TX)	Oxley
Bachus (AL)	Hancock	Packard
Baker (CA)	Hansen	Paxon
Ballenger	Hastert	Petri
Barrett (NE)	Hefley	Pombo
Bartlett	Hobson	Porter
Barton	Hoekstra	Portman
Bateman	Hoke	Pryce (OH)
Bentley	Horn	Quillen
Bereuter	Houghton	Quinn
Billakis	Huffington	Ramstad
Bliley	Hutchinson	Ravenel
Blute	Hutto	Roberts
Boehner	Inglis	Rogers
Bonilla	Inhofe	Rohrabacher
Burton	Istook	Ros-Lehtinen
Buyer	Jacobs	Roth
Callahan	Johnson (GA)	Rowland
Calvert	Johnson, Sam	Royce
Canady	Kasich	Saxton
Castle	Kim	Schaefer
Clinger	King	Schiff
Coble	Kingston	Sensenbrenner
Collins (GA)	Knollenberg	Shaw
Combest	Lazio	Shays
Cox	Leach	Shuster
Crane	Levy	Skeen
Crapo	Lewis (CA)	Smith (MI)
Cunningham	Lewis (FL)	Smith (OR)
Deal	Lightfoot	Smith (TX)
Diaz-Balart	Linder	Solomon
Dickey	Livingston	Spence
Doolittle	Manzullo	Stearns
Dornan	McCandless	Stenholm
Dreier	McCollum	Stump
Duncan	McCrery	Talent
Dunn	McHugh	Taylor (MS)
Emerson	McInnis	Taylor (NC)
Everett	McKeon	Thomas (WY)
Ewing	McMillan	Torkildsen
Fowler	Menendez	Upton
Franks (CT)	Meyers	Vucanovich
Galleghy	Mica	Walker
Gekas	Miller (FL)	Walsh
Gilchrest	Mineta	Wolf
Gillmor	Mink	Woolsey
Goodlatte	Molinari	Young (FL)
Goss	Moorhead	Zeliff
Grams	Nadler	Zimmer

## NOT VOTING—44

Ackerman	Hyde	Parker
Andrews (TX)	Klug	Pelosi
Baker (LA)	Kolbe	Penny
Boucher	Kyl	Ridge
Brewster	Laughlin	Skelton
Brooks	Manton	Slatery
Brown (CA)	Markay	Stokes
Bunning	Martinez	Sundquist
Clement	McCurdy	Synar
Conyers	McDade	Tauzin
Dingell	Moran	Torres
Engel	Myers	Towns
Fawell	Neal (NC)	Washington
Fields (TX)	Oberstar	Young (AK)
Hunter	Orton	

□ 1050

The Clerk announced the following pairs:

On this vote:

Mr. Brooks for, with Mr. Synar against.  
Mr. Dingell for, with Mr. Baker of Louisiana against.

Mr. Stokes for, with Mr. Kolbe against.  
Mr. Andrews of Texas for, with Mr. Hyde against.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. FAWELL. Mr. Speaker, I was unavoidably detained this morning and did not vote on rollcall No. 507, the rule for consideration of the bill to extend the emergency unemployment compensation program. Had I been present, I would have voted "nay."

#### PERSONAL EXPLANATION

Mr. ORTON. Mr. Speaker, during rollcall vote No. 507 on H.R. 265 I was unavoidably detained. Had I been present, I would have voted "yea."

The SPEAKER pro tempore (Mr. VOLKMER). Pursuant to House Resolution 265 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3167.

□ 1051

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3167) to extend the emergency unemployment compensation program, to establish a system of worker profiling, and for other purposes with Mr. MFUME in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read for the first time.

The gentleman from Illinois [Mr. ROSTENKOWSKI] will be recognized for 30 minutes, and the gentleman from Texas [Mr. ARCHER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois [Mr. ROSTENKOWSKI].

Mr. ROSTENKOWSKI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in strong support of H.R. 3167, the Unemployment Compensation Amendments of 1993. This bill extends the authorization for new claims under the emergency unemployment compensation, or EUC program. It also lays the groundwork for a new emphasis on reemployment within our Nation's unemployment compensation system.

Overall, the bill is deficit neutral. In fact, it would reduce the deficit over the 5-year budget period by \$24 million.

The bill would extend the authorization for new claims under the EUC program by 4 months—from October 2, 1993 to February 5, 1994. Depending on unemployment rates in each State, either 7 or 13 weeks of benefits would be provided to new claimants of emergency benefits. According to the Congressional Budget Office, this extension will cost \$1.1 billion in fiscal year 1994.

A total of 250,000 unemployed workers are expected to exhaust regular State unemployment benefits in October. This number is as high today as it was when the EUC program was first enacted in November of 1991. In total, about 1 million workers are expected to benefit from this extension over its 4-month life. The assistance we provide for these 1 million unemployed workers will, in many cases, mean the difference between scraping by or plunging into poverty.

Last Friday's unemployment report should have dispelled doubts some may have about continuing emergency benefits. Not only did the national unemployment rate remain at 6.7 percent, but the number of workers out of work longer than 26 weeks held at 1.7 million, some 300 thousand more than when the program was first enacted.

The bill before us today starts down the road to reform. It includes an administration proposal to identify workers who have lost their jobs permanently and refer them to intensive job search assistance early in their unemployment. This provision will help long-term unemployed workers find jobs faster. It also translates directly into permanent budget savings, \$764 million of which is scored over the 5-year budget period, because fewer weeks of benefits will be paid to these workers.

Some have raised questions whether the savings from this worker profiling provision are "real." I can assure all of my colleagues that they are based on rigorous evaluations of State demonstration projects. Perhaps former Secretary of Labor Elizabeth Dole's press release announcing the results of the evaluation of New Jersey's pilot project is convincing. Secretary Dole said:

Project services significantly reduced the length of dislocated workers' unemployment spells and increased their earnings by an average of nearly \$500. The project also reduced unemployment benefit payments to workers offered services by more than \$100 per person, on average.

Some also have asked how the administration can reap such savings if it does not spend substantial additional sums on job search assistance too. The administration has replied that it can do the job with existing resources and additional appropriations already passed for fiscal year 1994 for the Economic Dislocation and Worker Adjustment Assistance Program.

Based on the research evidence, I believe the administration can fulfill its promise, and I am willing to give them that opportunity.

The final major provision of this bill would increase, for a 3-year period, the so-called "3-year sponsor-to-alien deeming period" to 5 years under the Supplemental Security Income Program. Since October 1980, the income and resources of aliens' sponsors have

been considered in determining eligibility and payment amount under the SSI program. As a result of this provision, sponsored aliens would not be able to obtain full SSI benefits for 2 additional years. The provision raises \$330 million over fiscal years 1994 through 1996.

This sponsor-to-alien deeming provision will be effective on January 1, 1994, except it would not apply in the case of individuals who are eligible for SSI for December 1993—or whose eligibility is suspended but not terminated—and whose 3-year deeming period ended prior to January 1994. Thus, people who apply for SSI benefits on or after January 1, 1994, and individuals on the SSI rolls—because their sponsors' deemed income and resources do not make them ineligible—whose 3-year deeming period has not ended by January 1, 1994, would come under the 5-year rule.

In this bill, the Committee on Ways and Means acted to address a continuing problem of unemployment, but also took a significant step toward reforming unemployment compensation programs. I recognize that we have more work to do to meet the challenges of the current economy, and look forward to working with the administration as they develop their worker adjustment assistance and other proposals.

Mr. Chairman, 1 million workers are waiting for our assistance. I urge my colleagues to vote for this bill and give these workers the help they need.

Mr. Chairman, I reserve the balance of my time.

Mr. ARCHER. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. BLILEY], to speak out of order.

(By unanimous consent, Mr. BLILEY was allowed to speak out of order.)

#### TRIBUTE TO PHYLLIS TROY

Mr. BLILEY. Mr. Chairman, I rise today to recognize a woman of great character, of great endurance, and—luckily for me—of much patience; for today marks the 40th anniversary of service on Capitol Hill for my scheduler, Phyllis Troy.

When Phyllis first came to the Hill, Eisenhower was in the White House, cars had fins, and Elvis Presley really was alive. Her bright smile and southern drawl would charm the socks off of any visitor to her Member's office. The long hours she spent there on behalf of the people of Richmond, VA were many and often times her hard work went unnoticed.

However, Mr. Chairman, this did not dissuade her from doing her job and doing it well.

When I was elected to the House in 1980, Mr. Chairman, I was told I was to acquire three things: Phyllis, an office, and a parking place—in that order. As a freshman Member in those early days, she proved to be an invaluable resource to me and the staff—and she continues that valiant service.



Today, Phyllis continues to be a student of the old school. The computer on her desk serves as "an expensive paperweight" as she prefers her typewriter; she still takes short-hand faster than I can get the words out of my mouth; and, if anyone should ask me for an appointment, I simply say, "Have you cleared it with the boss?"

Mr. Chairman, 40 years of service is hard to sum up in a 1 minute speech, but I want the record to show every Member of this institution that in my office is a perfect example of dedication, duty, and determination—and her name is Phyllis Troy.

And, so to you, Phyllis, I tip my hat and say to you something you may not hear often enough—and that is: Thank you. I thank you for your devotion, my wife thanks you for getting me home on time, and the staff surely thanks you for keeping me humble.

If, as they say, life begins at 40, then here's to the beginning of our next 40 years.

□ 1100

Mr. ARCHER. Mr. Chairman, I yield myself as much time as I may consume.

Nearly 2 years ago, Congress enacted the Emergency Unemployment Compensation Program as a temporary plan for giving federally financed benefits to the long-term unemployed. At the time, the national unemployment rate was 6.9 percent and had been rising.

Congress and the President were concerned about nationwide unemployment levels. The response was a temporary program to make Federal benefits available in all States.

Today, we are considering legislation to extend that temporary program for the fourth time. However, while economic growth over the past year has been sluggish, the economy has indeed been growing.

This new extension is unwarranted. It's time to allow the underlying Federal and State matching extended benefit system to do its job.

The sense of nationwide economic distress that was used to justify creation of this program is no longer present.

After peaking at 7.9 percent in June 1992, the Nation's unemployment rate has been falling consistently since. The most recent level is September's rate of 6.7 percent. That's below what it was when Congress put in the first temporary program.

Before Members vote to extend it once again, consider what it has already accomplished. By the end of September, this temporary emergency program had provided approximately \$25 billion in Federal assistance in 2 years.

But Congress did more than just extend benefits. We made permanent changes to the underlying unemployment compensation program that

make it easier for State-based extended benefits to become available when a State's unemployment rate is high.

Yes, States must adopt this reform and must share in its costs with the Federal Government, but it's a responsible system for rendering extended assistance in States where unemployment is high.

The expired Federal program more than accomplished its goals.

Clearly, the Clinton administration itself was ambivalent about this extension.

Why else would they have waited until the 11th hour even to broach the subject with Congress, and then keep changing their proposal up until the last minute?

The majority leadership of the House was also obviously ambivalent. Why else let the program expire and then delay this effort to resuscitate it for more than 2 weeks after it has already ended?

The program had an explicit termination date of October 2, and yet there was no rush to consider legislation. In fact, it was allowed to expire when a group of Democrats insisted on cutting out a month of the extension in order to save welfare benefits for aliens.

That effort failed last night, so here we are this morning finally debating a fourth extension. This one is currently estimated to cost \$1.1 billion—but who knows what the final cost will be?

I say that because the total of the previous estimates we were given put the cost of the initial program and its three earlier extensions at \$15 billion through October 2. That program actually wound up costing \$25 billion in that same period, \$10 billion more than was estimated in the original projections.

Only about \$12 billion of the tab was even intended to be paid for when the legislation was enacted by its proponents. The rest was deficit financed through emergency waivers of the budget law and passed on as a debt to our children and their children. I doubt that the estimates for this extension will prove to be any more accurate than earlier ones.

Important questions remain about the bulk of the financing in the bill. In order to generate the \$764 million in entitlement savings from the worker profiling and job search programs, CBO estimates that \$897 million in discretionary spending will be required to administer those programs.

Let me repeat that. In order to get the \$764 million in projected entitlement savings, we will be forced to spend an additional \$897 million in new spending to administer the program. That creates a net deficit.

In other words, the savings on the entitlement side are contingent on future appropriations that exceed the savings.

But the basic problem is with the extension itself. There still is long-term

unemployment in some regions of the country. Yet, high unemployment is no longer a nationwide problem.

Many States now have unemployment rates below 6 percent, some with rates below 4 percent.

Extending this supposedly temporary nationwide program is clearly not necessary for addressing chronic or temporary regional high unemployment.

Ultimately, the responsibility for such a program must return to the State-based system legislated in the last Congress.

My thoughtful and respected colleague on the Ways and Means Committee, Mrs. JOHNSON of Connecticut, will offer an amendment today to address that issue directly by limiting the benefits in this extension to States where unemployment exceeds 5 percent.

It's an excellent amendment that targets the Federal benefits where they are most needed. It should receive broad bipartisan support.

In my opinion, the nationwide economic crisis that may have justified this program has passed. We should allow it to expire before its evolution into simply another Federal welfare program. At some point, it is our responsibility to make the politically difficult decision of saving enough is enough.

Today is that day.

Mr. Speaker, I reserve the balance of my time.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 3 minutes to the gentleman from Tennessee [Mr. FORD], chairman of the Subcommittee on Human Resources of the Committee on Ways and Means.

Mr. FORD of Tennessee. Mr. Chairman, I thank the gentleman for yielding the time, our chairman of the full Committee on Ways and Means.

Mr. Chairman, I rise in full support of the EUC bill that is before the House today. The EUC Program, as Chairman ROSTENKOWSKI has talked about already, would extend for 4 months paying additional full benefits to workers who exhausted their regular State UI payments. New claims under the EUC program would be paid from October 7, 1993 through February 5, 1994.

It provides 13 additional weeks for 5 States in this country, and the remaining States that meet the guidelines of the formula would be qualified for 7 additional weeks. Individuals who qualify only before February 5, 1994 can collect the balance of their benefits, except that no benefits would be paid after April 30, 1994.

The legislation eliminates the EUC choice provision allowing certain claimants to choose to receive the higher of their regular State UI benefits or the EUC extension. Beneficiaries must have exhausted their regular State benefits before qualifying for the emergency unemployment compensation.

Over the past 2 weeks, in excess of 100,000 long-term unemployed persons, workers, have gone without. And if we fail to act today, roughly 650,000 workers will join over the next 2½ months those who have already exhausted their extended benefits.

This bill makes retroactive from October 1 benefits to be paid to the workers who are long-term unemployed in this country.

I certainly would urge my colleagues not only on this Democratic side of the aisle by my Republican colleagues also to join with us to pass this legislation, to say to the long-term unemployed in America that we are going to extend those benefits for you through February 5, 1994.

I urge my colleagues to do so, and to join with us to pass this legislation.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut, [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Chairman, the people we seek to help today would rather have a job than another extension of unemployment compensation benefits. Nonetheless, I believe that it is important that we pass this bill. In my home State of Connecticut, and in many other States, families are still hurting from the recession. This extension will allow families throughout the country to continue to pay their mortgage, take care of their responsibilities, and live as normal a life as possible until they find a job.

While we take this action today, we must consider what action to take tomorrow. First of all, we must take a serious look at the unemployment system itself. Passing short term extensions does help people, but we need to establish a mechanism where this body does not need to go through this debate every several months. I look forward to working with my colleagues to create a system which is fair, and provides people with the help they need.

We must also continue to seek solutions to the problems which have put so many families in such a difficult position. We must continue to work to stimulate our economy and create jobs.

We took a step in that direction with the conversion provisions included in the defense bill. But much more must be done to help not just the defense industry and its workers, but all sectors of our economy.

Mr. Chairman, in the last election, the watchword was "It's the economy, stupid." Today, that is still true. I urge my colleagues both to support this legislation today—and to go on working together toward an improved economic picture.

□ 1110

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN. Mr. Chairman, I rise in strong support of this bill. But I say to

my colleagues, I wish we were not here today for this purpose. If the general unemployment rate were the whole story, we might not be; but here is the problem, and we all need to acknowledge it on both sides of the aisle.

While the general unemployment rate is down, structural unemployment remains a major problem. We simply cannot duck that.

In August, 267,000 people exhausted their State benefits. That means people are exhausting their State benefits at a higher rate than when we started the program. That is the problem.

The problem is that while aggregate unemployment is down a bit, there remains this persistent problem of the long-term unemployed. We must not turn our backs on that.

Well, it is said, "Let's use the Extended Benefits Program. Let it do the job."

Here is the problem in simple terms. In 1981, the Extended Benefits Program was changed to make it harder for States to qualify for benefits. Even with subsequent modifications, today, most States that can meet the general trigger of statewide unemployment of 6.5 percent cannot meet a second, stricter requirement in the law. That second provision requires the State's total unemployment rate—above 6.5 percent—to also equal or exceed 110 percent of the State's unemployment rate in either of the 2 prior years. So, it's not enough to have persistently high unemployment, a State must prove its unemployment rate is growing. We've made it nearly impossible for States to qualify for extended benefits. Among the States caught in this "catch-22" are Alabama, Connecticut, Florida, Idaho, Kentucky, Louisiana, my own State of Michigan, New Jersey, New Mexico, New York, Pennsylvania, Rhode Island, and Texas.

Even if these States want to use the 50 percent match available under the Extended Benefits Program, they cannot do so under the present law.

Now, we all agree we have to reform unemployment compensation. We have that responsibility. Some of us have been trying to do that for years, to connect unemployment with reemployment services.

I want an unemployment support system that goes beyond income maintenance. I want a system that helps people go back to work as soon as they can. But previous administrations have resisted—strongly resisted—such reforms of the unemployment compensation program.

This new administration says it wants to reform this system. Let us do it.

But while we work on these reforms, there is no use saying to people who are structurally unemployed through no fault of their own, "Go on the welfare system. Hit the streets. You are on your own." That is not responsible Government action.

The last thing these people want is welfare. I do not want to turn unemployment compensation into a welfare program. We need to reform it. While we are doing that, we have an obligation to continue to help people who are looking for work, who are the long-term unemployed.

We have spent billions already to support the structurally, long-term unemployed. Their need is greater now than when we first passed this emergency unemployment program 2 years ago. We can't turn our backs on these people and their families.

I worry that when we come back in January of 1994 whether we will have enough time to consider legislation to properly reform the unemployment compensation program before this emergency 4-month extension expires. At least let us meet our obligations today.

Mr. Chairman, I urge my colleagues to support this bill.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. SANTORUM] seek to control the time of the gentleman from Texas [Mr. ARCHER].

Mr. SANTORUM. I do, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. SANTORUM. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, 13 days ago, the Emergency Unemployment Compensation Program expired, and for 13 days, action on a bill to extend this program has been held up.

As this House bickers over how to pay for this extension, thousands of my constituents laid off by IBM and other businesses which depend on IBM, are running out of unemployment benefits as they desperately try to find jobs. They are losing their homes and their bills are mounting.

These are people who have worked and paid taxes for their entire adult lives. They do not want charity, but they need our help. Surely, in a \$1.5 trillion dollar budget we can find a way to come up with at least the \$1.8 billion dollars needed to fund a 4-month extension.

Mr. Chairman, I have, in past weeks, urged action by the Ways and Means Committee. I have spoken to the Secretary of Labor, stressing the urgency of this extension for my constituents. And today, I implore my colleagues to support the legislation before us.

I have heard the arguments of the opponents of this extension. Yes, we are seeking to extend what was supposed to be a temporary program for the fourth time. Yes, it is expensive. And yes, the national unemployment rate has dropped below 7 percent for the last 2 consecutive months.

Mr. Chairman, I wish this was true in the Hudson Valley of New York. For years, the counties which I represent



had the lowest unemployment rates in New York State. Despite this fact, I have supported each of the extensions of unemployment benefits which came before this House because I knew there were Americans who needed them. Today, the Americans who need these benefits live in my congressional district and I am asking my colleagues for the help that I, and my taxpaying constituents, gave their constituents in the past.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. COYNE].

Mr. COYNE. Mr. Chairman, I rise in support of House passage of H.R. 3167, legislation extending the Emergency Unemployment Compensation Program.

Unemployed Americans are looking to the Congress for help at a time when far too many have exhausted their regular unemployment benefits but are still unable to find a job. It is vital that the House act once again to reassure these Americans that their needs for emergency unemployment assistance will be addressed.

The facts are that there are still over 1.2 million Americans who have exhausted their regular unemployment benefits. While the economy has been improving since President Clinton took office, the national unemployment rate is still 6.7 percent, more than 12 million Americans are looking for work, and it is likely that many will not find employment before exhausting their regular unemployment benefits. These Americans need help from their elected representatives in the Congress.

H.R. 3167 provides that 13 weeks of extended emergency unemployment benefits will be available in States with regular unemployment rates of at least 9 percent, or States with an adjusted unemployment rate of 5 percent. The adjusted unemployment rate includes those Americans who have exhausted their regular unemployment rates. All other States with lower rates of unemployment will be eligible for 7 weeks of extended benefits. For example, residents of Pennsylvania would be eligible for 7 weeks of extended benefits since the most recent unemployment rate was 7.5 percent.

This extension bill is fully financed. The Ways and Means Committee has reported a number of reforms in the unemployment compensation program which will help to reduce the number of Americans who must seek extended benefits because of a lack of employment. This bill requires States to identify workers who, when they first file for unemployment benefits, are considered likely to exhaust their regular benefits. These workers would be required to participate in State job search assistance programs as a condition of receiving unemployment benefits. In addition, the U.S. Labor Department would be required to provide

technical assistance to States in classifying workers who may require job search assistance.

Mr. Chairman, I strongly support passage of this emergency unemployment benefits extension bill. H.R. 3167 is needed and it is paid for. I urge my colleagues to vote for passage of this legislation.

Mr. SANTORUM. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York [Mr. HOUGHTON], a member of the Committee on Ways and Means.

□ 1120

Mr. HOUGHTON. Mr. Chairman, getting right to the point, I intend to vote for this bill, but, frankly, I do so holding my nose.

The cause is right. We sit around here; we are all employed. A lot of people out there are not, and clearly we have got to be conscious of that. Also, we are in a peculiar phase in the economy. Business is improving, but jobs are not. It is sort of a strange phenomenon going on out there—downsizing, total quality emphasis, minimizing contributed value, squeezing the working capital. So, the impact on jobs is severe, and we may not, frankly, have seen the end of it.

At a recent business council meeting in Williamsburg, the economists, in general, thought that the economy would continue to improve, and run on about a 3-percent increase in the latter part of this year and into 1994. But again this would not extend to increased employment. There are also some downside risks—higher taxes, health costs, and the slowing down of capital spending. But the bottom line for business is tight control on payroll, and corporate strategies focused on emphasizing cost reduction, not price increases. This again hurts the employment situation.

But I must say on the other hand, Mr. Chairman, what we are doing here is absolutely crazy, one short-term bill after another, as if we do not have the wit to think beyond 3 months. I ask my colleagues, "How do you run a \$1.5 trillion institution on a 3-month time schedule?" Also, we have a deficit. We set a budget in place. We have a concept called pay as you go, and now we whisper, "whoops," we cannot make the figures come out right, so we will change the rules.

That does not make any sense. This is one bad way to run anything, and it seems to me that we appear as financial illiterates with other people's money.

Mr. Chairman, I reluctantly support this bill. There are people concerned out there, and we must attend to them. Although one should never say never, let me state that I will not do this again. It is unfair for anyone else out there paying their bills, trying to work, struggling to make ends meet to

shoulder over and over again this type of responsibility. It is not right.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 1 minute to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I rise in strong support of this legislation. A million unemployed workers need help, and we cannot turn our backs on them. But, Mr. Chairman, extending unemployment compensation, as vital as that is, does not get to the root cause of the problems of unemployment, a problem that we have not dealt with effectively.

In my view, Mr. Chairman, if we are going to deal seriously with that problem, we need to institute a real jobs program now which rebuilds America, rebuilds our infrastructure, builds the affordable housing we need and puts millions of workers back to work, and, second, we have got to stop the hemorrhaging of our manufacturing jobs, the downsizing, the jobs going to Mexico, to Singapore, to the Far East. We need a program which says to corporate America, "Reinvest in this country and not in cheap Third World labor."

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. TRAFICANT].

Mr. SANTORUM. Mr. Chairman, I, too, yield 1 minute to the gentleman from Ohio [Mr. TRAFICANT].

The CHAIRMAN. The gentleman from Ohio is recognized for 2 minutes.

Mr. TRAFICANT. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. SANTORUM] and the gentleman from Illinois [Mr. ROSTENKOWSKI] for yielding this time to me.

Mr. Chairman, I support the bill. The provisions that were included, crafted by the gentleman from Illinois [Mr. ROSTENKOWSKI] make it a better bill, much better. However, my colleagues, extending unemployment compensation will not cure America's jobs hemorrhage. In fact, the big news today is that everybody is cheering because the trade deficit dropped to 6.7 percent. Wow, that really sounds terrific. The trade deficit dropped and dropped to only \$10 billion last month. That means we bought \$10 billion more than we sold. Countries will not take our products, jobs are leaving, people are losing their jobs, and the American workers are back home knowing they are losing their jobs because of trade ripoffs. Congress does nothing but extend unemployment.

In fact, Mr. Chairman, our tax policies keep dumping taxes on American companies that are chasing them overseas, and our tax policies and our Tax Code rewards and gives tax breaks to American companies overseas. Beam me up.

Mr. Chairman, I say to my colleagues, "You will find America's jobs in our tax and trade policies, and we have a chairman with the power to do it. I would hope that he would look at

it. We need that power now. We have had this free trade mentality, and I am for free trade if it is both ways. But look, America is looking for free trade with Mexico. Why not start with free trade with Japan and Europe?"

Mr. Chairman, I am tired of dumping more taxes on people. In fact, I say it is time to modify our Tax Code. Why an income tax? Why not reduce income taxes, couple it with a consumption tax? Every American will probably pay less taxes, and we can tax that underground economy instead of building prisons and giving health care to criminals who get shot on our streets.

I think it is time to look at that, Mr. Chairman. I ask my colleagues to address it.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. APPELGATE].

Mr. APPELGATE. Mr. Chairman, I thank the gentleman from Illinois [Mr. ROSTENKOWSKI] for his generosity in yielding this time to me.

Mr. Chairman, the administration wants to pass a North American Free-Trade Agreement. They want to make it easier for Communist China to send in their goods through a most-favored-nation status. They want to open up trade with Vietnam. They want to make it easier for Korean productivity and Thailand productivity to come into the United States.

When is it going to stop? To bring more goods into the United States than we are sending out is going to cost us jobs. Who is going to be left to buy the products if everybody is going to be making minimum wage?

America has lost millions of manufacturing jobs. We have the lowest number of manufacturing jobs in the United States of America since the 1960's. Yes, there is only 6.9 percent unemployment. But what kind of a job are these people holding? Minimum wage and low wage jobs. This unemployment compensation bill is going to be one that is going to help some of those people.

But Americans are losing their jobs. They do not want unemployment compensation. Americans do not want welfare. They do not want food stamps. They want jobs where they can house, clothe, and feed their families, and instead of sending more of these billions of dollars overseas to all these other countries in the world to help them build their economic base I say it is time that we spend the money to build our economic base and help our private enterprise to create the jobs.

Mr. Chairman, that is what Americans want. They want jobs. They do not want low-income jobs. And let me tell my colleagues this, Mr. Chairman: The unemployed in this country vote, too.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, there are almost 2 million unemployed American workers whose unemployment insurance benefits have run out. A number that does not even include the tens of thousands who have lost hope, who are not even being counted anymore. And, in the weeks we have been debating this extension, 60,000 or more unemployed working people a week are running out of benefits.

As some of our colleagues have pointed out, this level of long-term unemployment is higher now than it was in 1991 when we passed the first emergency extension. We must pass this bill today and lend a hand to these working people.

These are men and women who have worked their entire lives. For many, wrenching economic dislocations have left them without the ability to work for the first time.

The emergency extension will give these workers the ability to continue to house and feed themselves and their families while they search for work. Unemployed workers need us to finish this debate and get this bill passed now. I urge my colleagues to vote to extend the emergency unemployment insurance program and cast a vote for our country's working men and women.

□ 1130

Mr. SANTORUM. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, I want to commend the chairman of the committee, the gentleman from Illinois [Mr. ROSTENKOWSKI], for the excellent work he has done on this bill, for bringing this bill to the floor of the House fully funded, extending benefits through the holidays to a period of time when in fact if we do need to address this issue, we will be here to do so, and for standing tall and supporting the committee. We saw the committee's unanimous support of this bill yesterday on the rule so we can have a vote to extend benefits for 4 months.

This is the fourth extension of the original extension, but there have been five extensions in total. For the first time now we have an extended-benefits program that is paid for with spending cuts. One was emergency funding, with just deficit add-ons. That was the last one. The first three were paid for with tax increases. This is the first one that is paid for with spending cuts, and it is paid for with reforms of programs that desperately cry out for reform.

This is the kind of thing we need to do more of on the floor of the House, examining our priorities and putting the money where the highest priority is and shifting money away from areas of lower priority. That is not to say that those areas are not important, but they are of lower priority.

So I commend the chairman of the committee again and I commend the committee for its fine work in coming

forward with this bill. It is one that I will support enthusiastically.

There is an amendment coming up that I think will improve the bill even more, and that is an amendment that will be offered by the gentlewoman from Connecticut [Mrs. JOHNSON]. What the Johnson amendment will do is simply eliminate the States that have unemployment rates below 5 percent, which is considered by most economists to be full employment. It will eliminate benefits for those States with full employment. If the entire nature of this program is to provide emergency benefits, extended emergency benefits for areas of high unemployment, if that is the rationale for passing this program, it makes no sense to pass emergency extended benefits for people in South Dakota and Nebraska, where their unemployment rates are under 3 percent.

So I think what the gentlewoman from Connecticut [Mrs. JOHNSON] has aptly done in this amendment is again to do what the committee did in the first place. That is to target resources to the areas of the highest priority and take resources away from lower areas of priority.

So, again this is consistent with what the committee has done. It is consistent with good policy. It is consistent with the original intent of the emergency extended program, which is to target resources for very high areas of unemployment. So I rise in strong support of the Johnson amendment. In relating to the comments of the gentleman from Michigan [Mr. LEVIN] insofar as the EB program and trying to fix that program so we can get States to trigger on, I would note that there are two States, one of them Oregon, represented by the gentleman from Oregon [Mr. KOPETSKI], and the other State, Washington, represented by another member of the committee, the gentleman from Washington [Mr. McDERMOTT], that have gone out and extended benefits, using the emergency trigger. When we passed this program in the last session of Congress, we did so with the intent that more States would trigger this program and provide extended benefits in States with very high areas of unemployment.

The irony of this whole situation is that by passing this program today, folks in Washington and Oregon will actually get shorter extended benefits, which is a tragedy for those people in those States and whose legislatures and Governors were responsible enough to deal with this problem in the use of the trigger mechanism that was put in law by the Congress in the last session.

So I think we desperately need to look at this program. We need to see what we can do to correct it, to encourage more States to do this and get involved in the emergency trigger without spending a whole lot more Federal dollars to get the encouragement. I



think there are a lot of things we can do with the formula to accomplish this.

Finally, I would just like to say that we are now in day 16 of holding American workers hostage here on the floor of the House with this emergency benefit program. This bill and this rule that we passed this morning were before the Congress 16 days ago. This exact bill and these exact amendments were before us, and they were postponed. They were pulled from the calendar because of special-interest politics. For 16 days American workers who have exhausted their benefits between October 2 and now have been held hostage by political special interests here in Washington, DC.

I would just suggest that if that had gone on under a Republican-controlled Congress or a Republican President, the Members on the other side of the aisle would have been lining up screaming and hollering for something to be done. But not once, I might add, until last night's debate did any Republican come to the floor and demonstrate against that. We patiently waited and waited for this bill to come to the floor so we could do something about the unemployment situation, and all this time we did so, recognizing that in past unemployment extensions the other side of the aisle got up and demonstrated repeatedly about delays and how we could not delay.

Let me read some of these quotes. The gentlewoman from Connecticut said: "These unemployed individuals cannot afford to wait. Quite literally, when the benefits run out, time runs out."

The gentleman from California said: "The reason that we are moving ahead quickly is because there are 300,000 Americans each month that are going on the EUB program. Right now there are 150,000 Americans on this program, so we have to move quickly. There is just no question that this has to be done."

The gentleman from Virginia said: "Nearly 1.8 million jobless Americans risk losing their shield against financial disaster unless we act quickly on this legislation before us."

The gentleman from Illinois said: "There are Americans out there expecting us to act. We are beyond the gridlock that we faced for so long in this bill, and these Americans are expecting us to act."

We saw gridlock in action when political special interests outweighed American workers for the past 2 weeks. I would just ask, where were all these people in the past 2 weeks? Not only did we potentially delay this, we in fact did delay it for 2 weeks. We had States that ended their programs that are now going to have the additional cost of trying to find these people and pay them back benefits. The additional cost is going to be on States that are tightly strapped already for resources.

This was an irresponsible move. It was a move by the House leadership that I think should be pointed out to the American public.

Again I want to commend the chairman of our committee and others who stood up to that and made sure that the bill came to the floor as quickly as possible.

Mr. Chairman, I yield back the balance of my time.

Mr. ROSTENKOWSKI. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. KOPETSKI].

Mr. KOPETSKI. Mr. Speaker, I commend the chairman of the Committee on Ways and Means for bringing this measure to the floor, a measure that will clearly help millions of Americans in their time of need.

The gentleman from Pennsylvania made a couple of comments that I want to respond to. We must keep in mind the historical perspective, that we would not have this extended emergency program but for the Democrats in the Congress who insisted 2 years ago that there was a problem in the economy, that there were unemployed people in this country who were exhausting their unemployment benefits, and who noted that at first the then President, President Bush, refused to even take note of it, and after months of fighting and hammering on the floor of this Congress we, the Democrats, passed this legislation.

The gentleman from Pennsylvania said that economists say that full employment is at 5 percent. Let me suggest to the Members that if you are unemployed, the unemployment rate is 100 percent.

We have a structural problem in this economy today that is not creating the jobs that we need. That is why I am in support of this bill and in opposition to the Johnson amendment. For the same reason that we need to support this bill, we need to defeat the Johnson amendment. There is a structural problem in the economy. It is a national problem, if not an international problem, and it is not a problem that any one State can fix. The exhaustion rate is 250,000 individuals per month, for a total of 1,750,000 individuals who have exhausted their benefits and are on this program.

□ 1140

This is just the individuals. This does not include the families affected by this program. The normal exhaustion rate, Mr. Chairman, of these benefits, is 28 percent. Today it is over 38 percent. So even if the State has a low unemployment rate, below 5 percent, many of these unemployed workers are structurally unemployed. They are not on a temporary layoff. They do not have a job that is going to come back to them.

A person on unemployment benefits is able to work, is willing to work, is

seeking work, and the structural problem we have is there is no job for that person in this economy.

That is why we need to expand this program in every State. In every State these are people that want to work, but, because of our national economic problem, they are not able to find a job, and we need to help them out at the Federal level.

Mr. FAZIO. Mr. Chairman, I rise today in strong support of H.R. 3167, emergency unemployment compensation extension for the 1 million-plus American workers who will exhaust their regular unemployment benefits over the next 4 months. Passage of this bill ensures that unemployed workers who exhaust their 26 weeks of regular benefits after October 2 are eligible for further support.

Under the regular unemployment compensation program, unemployed workers are eligible for 26 weeks of unemployment compensation. But last year, as a result of the recession, Congress had to come to the aid of those workers who had exhausted these regular benefits by passing legislation that provided additional emergency benefits for eligible workers who were no longer covered by the regular program.

However, the national unemployment rate is still hovering at around 6.7 percent. Unemployment in the counties in my district is among the highest in California. In Glenn County, where the unemployment rate is 17 percent, over 1,700 workers are unemployed. As many as 3,500 Yuba County workers cannot find jobs, driving their unemployment rate up to 14.6 percent. Nearly 13 percent of the workers in Sutter and Tehama Counties—over 7,000 people—are unemployed.

Nationwide, there are over 8.5 million Americans who are victims of long-term unemployment—who are still looking for work. As many as 1.7 million of these people have been out of work for over 6 months and about 250,000 eligible workers continue to run out of regular unemployment benefits each month. In July, in California alone, nearly 50,000 people exhausted their regular State unemployment benefits and qualified for extended benefits. Over the past 8 months, over 408,000 Californians exhausted their regular benefits. And, when the emergency extension of unemployment benefits expired on October 2, it meant that they had nowhere to turn.

But this bill will once again extend the authority for emergency unemployment compensation benefits for new applicants, who will receive either 7 or 13 weeks of additional benefits, depending on the unemployment rates in their States. In California, where our total unemployment rate is 9 percent, new claimants will be able to file for an additional 13 weeks of emergency benefits.

American workers need these benefits. H.R. 3167 provides them and, at the same time, pays for itself. As our economy slowly comes back to life, H.R. 3167 enables us to once more reach out and do the right thing for the millions of American workers and families who are struggling to meet their basic, everyday needs. I urge my colleagues on both sides of the aisle to support its final passage.

Mr. FORD of Michigan. Mr. Chairman, I rise today to express my support for H.R. 3167,

the Unemployment Compensation Amendments of 1993.

While our Nation's economy is gradually improving, thousands of people in my congressional district are still out of work, and unable to find even parttime employment. In September, the State of Michigan had 312,000 people who were unable to find jobs. While this is a long way from the nearly double digit unemployment rates we faced last year, we must not forget those families who, through no fault of their own, are facing the terrible uncertainty of yet another month of electric bills and mortgage payments without a paycheck. It is clear that an extension of emergency benefits is necessary to offer these families a helping hand until work becomes available.

The measure before us today extends the authorization for new claims of emergency benefits from its expiration date of October 2, 1993, to February 5, 1994. The extension will provide 7 or 13 weeks of extended benefits for workers who have exhausted their regular State benefits. States which have adjusted insured unemployment rates of at least 5 percent would be eligible for 13 weeks of extended benefits. The majority of States like Michigan, whose rate falls below this threshold, would be able to offer 7 weeks of extended benefits.

H.R. 3167 requires States to profile workers who apply for regular State benefits, and assist those workers with job search assistance.

The bill would reduce the deficit by \$24 million over the next 5 years. This savings is achieved through two straightforward financing provisions: The institution of worker profiling, which will enable beneficiaries to find employment more rapidly, and by extending to 5 years from its current level of 3 years the amount of time that the income of the sponsors of legal aliens is taken into account in determining the alien's eligibility for supplemental security income [SSI] benefits.

Mr. Chairman, our economy is improving, but hundreds of thousands of Americans still need and deserve our help. The action we are taking today is the right one. I urge my colleagues to join me in supporting this much-needed legislation.

Ms. VELAZQUEZ. Mr. Chairman, I rise today in support of extending emergency unemployment benefits that my constituents and people all across America so desperately need, however I support this particular measure with reluctance.

Before I proceed, I would like to give a brief overview of what has happened during the last 2 weeks. When the original version of the bill extending unemployment benefits first came to the attention of this Congress, the members of the Hispanic caucus, including myself, were outraged. The bill contained a provision that stated that funding for the extension of benefits would come from raising from 3 to 5 years the eligibility for aged, blind, and disabled legal immigrants to receive their supplemental security income.

We felt that this unfair and unjust provision subjects legal U.S. residents to blatant immigrant bashing. We should not, and need not, rob Pedro to pay Paul. In addition, by relieving the Federal Government from paying for SSI benefits, we transfer the burden of picking up the tab to our States. For example, the SSI

benefits that would have been paid for by Uncle Sam will now be costing my State of New York \$2 million. The provision also contributes to the anti-immigrant sentiment that is now running rampant in our country, and the members of the Hispanic caucus felt it was necessary that this language be removed. Legal immigrants should not be asked to solely bear the burden of financing unemployment benefits for the entire United States.

As a result of the efforts of the Hispanic caucus, the bill was brought to the House of Representatives yesterday without this biased financial provision, and it extended unemployment benefits until January 1, 1994. This extension would have given Congress until that time to find a new funding mechanism if additional benefits were needed beyond that point, and spared aged, blind, and disabled legal immigrants from having to suffer unfairly. The rule was sadly and regrettably defeated. Its defeat illustrates the insensitivity to Latino concerns and the anti-immigrant climate which permeates this Chamber and the country. Hence, once again I stand in front of you today.

Mr. Chairman, despite my objections, I realize the necessity for the extension of unemployment benefits, but I deeply regret that this extension will be achieved at the expense of our Nation's legal immigrants.

Mr. REED. Mr. Chairman, I rise in support of H.R. 3167, the Unemployment Compensation Amendments of 1993, legislation which would extend the emergency unemployment benefits program for 4 months.

It was my hope when the 103d Congress convened that we would act swiftly on the President's job-creating stimulus plan and get people back to work, but unfortunately this was not the case. Instead, we have now passed two bills which help out-of-work Americans keep their heads above water, not legislation which helps them get a job.

While this bill does not provide benefits for the long-term unemployed who have exhausted previous extensions of emergency unemployment compensation, it will help thousands of Rhode Island families to keep food in the refrigerator and clothe their children.

Although the recession may be statistically considered over, long-term unemployment remains too high—almost 1.75 million Americans are still without a job after 6 months of looking.

My State has the dubious distinction of having the highest number of unemployed workers who have been out of work for more than 6 months. According to the Center on Budget and Policy Priorities, 38 percent of Rhode Island's unemployed workers have been jobless for over 6 months.

Each week, I receive calls and letters from these individuals who want nothing more than to go back to work. They do not care about business cycles or corporate restructuring or how this bill is financed—they care about their families and getting back to work. If we cannot pass a bill to create jobs, then we must pass a bill that lessens the distress of these families.

We must do it now. The procedural wrangling of the past few days jeopardizes the slender lifeline of thousands and thousands of Americans. To sacrifice their well-being on the

altar of ideological and procedural maneuvers is unacceptable.

Mr. Chairman, I urge my colleagues to join me in supporting this bill.

Mr. BORSKI. Mr. Chairman, I rise in support of H.R. 3167 to extend the Emergency Unemployment Compensation [EUC] Program, which is set to expire October 2.

Although the national unemployment rate has declined in recent months, it remains nearly as high today as it was in November 1991, when the EUC Program was established. In addition, the number of long-term unemployed, those exhausting their initial unemployment benefits, is higher today than when the program was initiated in 1991. Over the next few months, nearly 250,000 Americans will exhaust their initial unemployment benefits each month.

Mr. Chairman, we are no longer dealing with cyclical unemployment, where workers are temporarily laid off during a recession and return to their jobs when the economy improves. These people have been laid off permanently. They must find new jobs, often be retrained for a new skill, and enter a new field. Mr. Speaker, this takes time.

The basic unemployment insurance program is not meeting the needs of these people. We must extend emergency unemployment benefits to provide relief to these Americans whose lives and families have been seriously disrupted by the long recession and the restructuring of our economy. We have an obligation to assist these workers who, through no fault of their own, are still unable to find work.

H.R. 3167 will help these workers by providing an additional 7 or 13 weeks of unemployment benefits, depending on the level of unemployment in their State. This will enable many of these people to continue their mortgage payments, pay their rent or pay off school loans while they seek new jobs.

In addition, H.R. 3167 will provide necessary reforms to the basic unemployment compensation program. This legislation will enable States to assist permanently laid-off workers in establishing their own business and becoming self-employed. H.R. 3167 will also provide the option of short-time compensation to allow employers to reduce hours of employment for a large group of workers rather than laying off a smaller number of workers.

While H.R. 3167 will help in the short run, we must begin to look at making fundamental changes in the basic unemployment insurance program so that it can meet the changing needs of America's unemployed. We need to move from a system that temporarily reduces the financial strain of unemployment to a system that also helps Americans get back to work.

Ms. PELOSI. Mr. Chairman, I rise today in support of H.R. 3167, the Unemployment Compensation Program extension. This legislation will extend unemployment benefits for Americans who have been without work for more than 6 months and continue to seek reemployment.

Mr. Chairman, our Nation's economy is showing signs of recovery and job growth. Over 1 million private-sector jobs have been created since January—more than were created in the previous 4 years combined. This is good news, Mr. Chairman, and I commend the



administration for its efforts to continue stimulating the economy.

While the unemployment rate has declined over the past year, the number of long-term unemployed has increased during the recovery. It is these unemployed Americans and their families whom this bill seeks to aid—American workers who will have been without work for more than 6 months and are still looking for a job. The extension of compensation benefits will help these people immediately. The job search assistance program included in this bill will aid these people in the long term by helping them find new jobs.

This emergency extension bill is a fiscally sound initiative. The costs of the extension are offset by the results of the job search assistance program which will expeditiously move unemployed people back into the workforce.

I urge my colleagues to vote for this emergency extension of unemployment compensation and provide assistance to working Americans who are still experiencing hard times.

Mr. HOAGLAND. Mr. Chairman, this week, the House will vote on H.R. 3167, a bill to extend the Emergency Unemployment Compensation [EUC] Program for another 4 months. As I did in the Ways and Means Committee, I must again express my opposition to this extension.

To extend this program for just 3 more months will cost \$740 million. These costs will be incurred immediately. To pay for this, changes will be made in the EUC program to realize savings over a 5-year period which may, or may not, materialize.

The savings would come from a new system of worker profiling where State unemployment insurance agencies must identify which claimants will likely exhaust their regular unemployment benefits and refer them to job search assistance. This will supposedly put more unemployed into the job search system quicker and result in new jobs before they need emergency benefits. Besides becoming an administrative nightmare, profiling assumes there will be jobs available that can be filled by these claimants. This overly optimistic funding mechanism is the kind of thing that the American public finds most distasteful about Washington. We cannot hide behind assumptions to reduce government spending or even to offset additional spending.

This is the fifth time we have voted to extend the EUC since the recession began in 1991. Does anyone remember the bill we passed last year that was going to fix the unemployment system once and for all and stop these endless extensions? Well, that bill changed the trigger mechanism to make it easier for States to release extended benefits funds. States were given the choice to stay with the old system in which extended benefits are released based on the percentage of those unemployed who are receiving unemployment benefits or go to a new system in which the release trigger is based on the total unemployment rate. This new extended benefits program is paid for equally by States and the Federal Government. During mark up of the bill in the Ways and Means Committee, we learned that only two States passed the necessary law to begin the new program. I am concerned that the reason more States have not done so is because those with high unem-

ployment are betting that Congress will continue to extend the EUC, which is entirely federally funded.

All we are doing is creating another entitlement. The longer this program exists, the harder it becomes to end it and the more people begin to view the EUC as a right. We must remember that this is an emergency program, not a permanent one. This program was created to give the chronically unemployed a little help until the recession subsides. While there are still many people exhausting their regular unemployment benefits, the national unemployment rate is lower today than it was in 1991, when we first established the EUC. And in my State of Nebraska, we have an unemployment rate below 2.4 percent. What I hear Nebraskans say all the time is—cut Government spending. It is time to make tough choices.

Last year, Congress passed into law a bill to fix the system. We must force the States to establish that program and let it work. We must end some programs that, justified or not, cannot continue if we are to seriously talk about cutting the deficit.

Mr. FRANKS of Connecticut. Mr. Chairman, during the 1990's Connecticut has suffered from defense cutbacks, the real estate collapse, and the credit crunch, in addition to a damaging new income tax that took millions out of the pockets of Connecticut workers. Our unemployment rate, while down somewhat this year, was still 6.7 percent in July 1993. Waterbury's unemployment rate was 9.9 percent. As defense cutbacks continue, finding a job is still difficult for many of my constituents. For this reason, I will vote in favor of extending unemployment benefits for the long-term unemployed in my State.

However, it's time for Congress to take a greater look at why unemployment rates are not falling faster. New taxes and new regulations, the result of an indulgent Congress and a permissive President, are forcing businesses to reduce their work forces. President Clinton's tax plan, which I voted against in August, has the potential to eliminate millions of jobs from our economy. And how will raising gas taxes 4.3 cents a gallon help those who need to use their cars to apply for a job?

Rather than giving out more handouts, I want Congress to stop taxing the middle class and begin to repeal the regulatory burdens that are hindering progress in the American economy. The proper way to help people who are unemployed is to get them back to work in the market economy. Few people want to rely on the money of other taxpayers to pay their bills. Let's stop deceiving ourselves that we can continue these extensions forever. Americans need Congress to help U.S. industry create more jobs.

Mr. ROSTENKOWSKI. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute consisting of the bill, modified by the amendments recommended by the Committee on Ways and Means now printed in the bill, is considered as an original bill for the purpose of amendment and is considered as read.

The text of the amendment in the nature of a substitute as modified, is as follows:

H.R. 3167

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Unemployment Compensation Amendments of 1993".

#### SEC. 2. EXTENSION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) GENERAL RULE.—Sections 102(f)(1) and 106(a)(2) of the Emergency Unemployment Compensation Act of 1991 (Public Act 102-164, as amended) are each amended by striking "October 2, 1993" and inserting "February 5, 1994".

(b) WEEKS OF BENEFITS AVAILABLE DURING EXTENSION.—

(1) Subparagraph (A) of section 102(b)(2) of such Act is amended—

(A) by redesignating clause (vi) as clause (vii),

(B) by inserting after clause (v) the following new clause:

"(vi) REDUCTION OF WEEKS AFTER OCTOBER 2, 1993.—In the case of weeks beginning October 2, 1993—

"(I) clause (i) of this subparagraph shall be applied by substituting '13' for '33' and by submitting '7' for '26'.

"(II) clauses (ii), (iii), (iv), and (v) of this subparagraph shall not apply, and

"(III) subparagraph A of paragraph (1) shall be applied by substituting '50 percent' for '130 percent'." and

(C) by striking "or (iv)" in clause (vii) (as redesignated by subparagraph (A)) and inserting "(iv), or (vi)".

(2) Subparagraph (B) of section 102(b)(2) of such Act is amended by striking "and (iv)" and inserting "(iv) and (vi)".

(c) MODIFICATION OF FINAL PHASE-OUT.—Paragraph (2) of section 102(f) of such Act is amended—

(1) by striking "October 2, 1993" and inserting "February 5, 1994", and

(2) by striking "January 15, 1994" and inserting "April 30, 1994".

(d) CONFORMING AMENDMENTS.—Section 101(e) of such Act is amended—

(1) by striking "October 2, 1992" each place it appears in paragraph (1) and inserting "February 5, 1994", and

(2) by striking "(and is not triggered off under paragraph (1))" in paragraph (2) and inserting "after February 5, 1994".

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to weeks of unemployment beginning after October 2, 1993.

#### SEC. 3. MODIFICATION TO ELIGIBILITY REQUIREMENTS FOR EMERGENCY UNEMPLOYMENT COMPENSATION.

(a) REPEAL OF DISREGARD OF RIGHTS TO REGULAR COMPENSATION.—Subsection (f) of section 101 of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended) is hereby repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to weeks of unemployment beginning after the date of the enactment of this Act; except that such repeal shall not apply in determining eligibility for emergency unemployment compensation from an account established before October 2, 1993.

#### SEC. 4. WORKER PROFILING.

(a) IN GENERAL.—

(1) ESTABLISHMENT OF PROFILING SYSTEM.—Section 303 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(j)(1) The State agency charged with the administration of the State law shall establish and utilize a system of profiling all new claimants for regular compensation that—

"(A) identifies which claimants will be likely to exhaust regular compensation and will need job search assistance services to make a successful transition to new employment;

"(B) refers claimants identified pursuant to subparagraph (A) to reemployment services, such as job search assistance services, available under any State or Federal law;

"(C) collects follow-up information relating to the services received by such claimants and the employment outcomes for such claimants subsequent to receiving such services and utilizes such information in making identifications pursuant to subparagraph (A); and

"(D) meets such other requirements as the Secretary of Labor determines are appropriate.

"(2) Whenever the Secretary of Labor, after reasonable notice and opportunity for hearing to the State agency charged with the administration of the State law, finds that there is a failure to comply substantially with the requirements of paragraph (1), the Secretary of Labor shall notify such State agency that further payments will not be made to the State until he is satisfied that there is no longer any such failure. Until the Secretary of Labor is so satisfied, he shall make no further certification to the Secretary of the Treasury with respect to such State."

(2) CONFORMING AMENDMENT.—Section 304(a)(2) of the Social Security Act is amended by striking "or (i)" and inserting "(i), or (j)".

(b) PARTICIPATION REQUIREMENT.—Section 303(a) of the Social Security Act is amended—

(1) by striking the period at the end of paragraph (9) and inserting "; and"; and

(2) by adding at the end thereof the following new paragraph:

"(10) A requirement that, as a condition of eligibility for regular compensation for any week, any claimant who has been referred to reemployment services pursuant to the profiling system under subsection (j)(1)(B) participate in such services or in similar services unless the State agency charged with the administration of the State law determines—

"(A) such claimant has completed such services; or

"(B) there is justifiable cause for such claimant's failure to participate in such services."

(c) TECHNICAL ASSISTANCE.—The Secretary of Labor shall provide technical assistance and advice to assist the States in implementing the profiling system required under the amendments made by subsection (a). Such assistance shall include the development and identification of model profiling systems.

(d) REPORT TO CONGRESS.—Not later than the date 3 years after the date of enactment of this Act, the Secretary of Labor shall report to the Congress on the operation and effectiveness of the profiling system required under the amendments made by subsection (a) and the participation requirement provided by the amendments made under subsection (b). Such report shall include such recommendations as the Secretary of Labor determines are appropriate.

(e) CONFORMING AMENDMENT.—Section 4 of the Emergency Unemployment Compensation Amendments of 1993 (Public Law 103-6) is hereby repealed.

#### (f) EFFECTIVE DATES.—

(1) The amendments made by subsections (a) and (b) shall take effect on the date one year after the date of the enactment of this Act.

(2) The provisions of subsections (c), (d), and (e) shall take effect on the date of enactment of this Act.

#### SEC. 5. TECHNICAL AMENDMENT TO UNEMPLOYMENT TRUST FUND.

Paragraph (1) of section 905(b) of the Social Security Act is amended to read as follows:

"(b)(1) Except as provided in paragraph (3), the Secretary of the Treasury shall transfer (as of the close of each month) from the employment security administration account to the extended unemployment compensation account established by subsection (a), an amount (determined by such Secretary) equal to 20 percent of the amount by which—

"(A) the transfers to the employment security administration account pursuant to section 901(b)(2) during such month, exceed

"(B) the payments during such month from the employment security administration account pursuant to section 901(b)(3) and (d).

If for any such month the payments referred to in subparagraph (B) exceed the transfers referred to in subparagraph (A), proper adjustments shall be made in the amounts subsequently transferred."

#### SEC. 6. EXTENSION OF REPORTING DATE FOR ADVISORY COUNCIL.

Section 908(f) of the Social Security Act is amended—

(1) in paragraph (1), by striking "2d year" and inserting "third year"; and

(2) in paragraph (2), by striking "February 1, 1994" and inserting "February 1, 1995".

#### SEC. 7. TEMPORARY INCREASE IN SPONSORSHIP PERIOD FOR ALIENS UNDER THE SUPPLEMENTAL SECURITY INCOME PROGRAM.

(a) INCREASE IN SPONSORSHIP PERIOD.—

(1) IN GENERAL.—Section 1621 of the Social Security Act (42 U.S.C. 1382j) is amended by striking "three years" each place such term appears and inserting "5 years".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 1994.

(b) REINSTATEMENT OF PRIOR LAW.—

(1) IN GENERAL.—Section 1621 of the Social Security Act (42 U.S.C. 1382j), as amended by subsection (a)(1) of this section, is amended by striking "5 years" each place such term appears and inserting "3 years".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 1996.

The CHAIRMAN. No amendment to the amendment in the nature of a substitute is in order except the amendments printed in House Report 103-269. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, and is not subject to amendment.

Debate time on each amendment will be equally divided and controlled by the proponent and an opponent of the amendment.

It is now in order to consider amendment No. 1 printed in House Report 103-269.

#### AMENDMENT OFFERED BY MRS. JOHNSON OF CONNECTICUT

Mrs. JOHNSON of Connecticut. Mr. Chairman, I offer an amendment made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. JOHNSON of Connecticut: At the end of section 2 of the bill, insert the following new subsection:

(f) LOW-UNEMPLOYMENT STATES NOT ELIGIBLE FOR EXTENSION.—No emergency unemployment compensation shall be payable in any State by reason of the amendments made by this section unless the average rate of total unemployment in such State for the period consisting of the most recent 3 calendar months for which data are published before the date of the enactment of this Act is 5 percent or greater.

The CHAIRMAN. The gentlewoman from Connecticut [Mrs. JOHNSON] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

Mr. FORD of Tennessee. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Tennessee [Mr. FORD] will be recognized for 10 minutes.

The Chair recognizes the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, a few short months ago, we passed a mammoth tax-and-spend package in which we said to the American people—these are the resources we need and these are the expenditures we must make to address America's needs over the next 5 years. Yet, here Congress is again having to raise new resources to address needs we knew about when the majority party constructed the budget package. So, since we are now breaking the budget rules and using incredibly optimistic assumptions to find money to pay for the extension in the out years, we should at least be prudent and responsibly minimize the cost of this extension. My amendment does this.

My amendment would simply exclude from the Emergency Extended Benefits Program people in States with less than 5 percent unemployment. When I say 5 percent unemployment, I am using the total unemployment figure, the most generous definition of unemployment and one that includes three groups: The insured unemployment, those looking for work but not qualified for benefits, and exhaustees. Based on the most recent data, this amendment would eliminate emergency benefits in 10 States—Delaware, Hawaii, Iowa, Nebraska, North and South Dakota, Utah, North Carolina, Wisconsin, and Indiana—and would save \$75 million in 1994. All of these States, of course, will continue to qualify for the 6 months of benefits offered by current law. For extended benefits, Congress has always required higher rates of unemployment as a condition of providing extended or emergency benefits.



All of us understand that, for better or for worse, the various States have economies that are dramatically different. As we debate this issue on the floor today, for example, the unemployment rate is over 9 percent in California, about 7 percent in Connecticut, 5 percent in Wisconsin, and under 3 percent in Nebraska. Clearly, while California suffers from near-depression level unemployment, Wisconsin flourishes and Nebraska booms.

Now I ask you, Members of Congress, how can we possibly justify using Federal tax dollars to give emergency unemployment benefits to workers in a State with 3 percent unemployment? We can't. And our own work and votes demonstrate why.

Just 1½ years ago, Congress reformed the unemployment system. At that time we lowered the trigger granting people extended benefits. That is, when this body passed the Downey amendments to the Extended Benefits Program just last year, we set 6.5 percent as the trigger for extended benefits. We voted that total unemployment of less than 6.5 percent did not justify extended benefits. Therefore, it is fair to say that my choice of 5 percent provides a very generous line of demarcation.

Second, economists now tell us that around 5 percent unemployment is the result of normal, what is called frictional, forces operating in the economy. In other words, 5 percent unemployment is mainly attributable to turnover—people who quit their jobs, who are between jobs, or who are moving to a new area of the country. Levels below 5 percent result in businesses having difficulty finding employees, in labor shortages, and wage inflation. When Connecticut had 4 percent unemployment, supermarket managers were complaining to me that they could not find people to bag groceries. Manufacturers in my district had to put off plans to expand. The labor supply temporarily dried up. Thus, 5 percent unemployment is essentially full employment. So again we can see that the choice of 5 percent for triggering emergency benefits is very generous.

Another way to think about whether States with unemployment below 5 percent should receive emergency benefits is to examine the Nation's average unemployment rate in recent years. In the last quarter century, the average unemployment rate in the United States has been 6.4 percent. The average over the past decade is even higher—6.8 percent. The last time the Nation achieved an unemployment rate below 5 percent was 1973, two decades ago when we had an entirely different economy and very different demographics than we have today. In the last 20 years, the Nation has not had even a single month in which unemployment was below 5 percent.

These figures show that setting the trigger for emergency unemployment

at 5 percent is extremely generous. Defining an emergency as a level of unemployment lower than any the Nation has experienced in 20 years is foolish, wasteful, and fiscally irresponsible.

We simply cannot justify using our tax dollars to extend unemployment compensation benefits in those States with unemployment below 5 percent; that is, in States with strong economies. To do so is to defy reason, logic, and historical evidence. Even worse, especially in this era of oppressive Federal deficits and public needs that outstrip public resources, giving emergency benefits to workers in States with strong economies shows the American people, yet again, that Congress cannot make responsible fiscal decisions and use tax dollars prudently, but is the prisoner of a one-size-fits-all mentality that squanders our resources.

A vote in favor of my amendment is a vote for the integrity of our unemployment system and a vote for fiscal sanity.

Mr. Chairman, I know this is a difficult vote for my colleagues because of the way the issue has been proposed. In the long run, if you cannot vote for my amendment, we will never achieve full funding for Head Start. We have tried to full fund Head Start for 5 years, and still have not made it, because the competing demands for the tax dollars are so great. We will never provide the fuel assistance that elderly and poor people in the Northeast need. We will never be able to meet the challenge of meeting the needs of our people at a time of constrained resources and extraordinary change. We must acknowledge what we have acknowledged consistently every year over the past history of our Nation, that extended benefits in a strong economy are inappropriate. People have an opportunity to get jobs when unemployment is 3 and 4 percent that they do not have when employment is higher.

□ 1150

That has always been the assumption of the work of this Congress. It is always laying behind our fiscal decisions. In a time when resources are constrained and the needs of our Nation are enormous, I urge my colleagues to join with me to support an amendment that is simply fiscal sanity. I urge a "yes" vote on my amendment.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. FORD].

Mr. FORD of Tennessee. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to my colleague who serves on the Committee on Ways and Means that has offered this amendment.

I am opposed to this amendment because long-term unemployed workers

in low unemployed States have suffered the pain of unemployment just as much as those who live in those areas with State unemployment around 5 percent.

Mr. Chairman, in the past many of my colleagues have been strong advocates of local area triggers to deal with the problem of pockets of poverty and pockets of unemployment throughout the Nation. Perhaps we should consider this once again, but in the meantime, we should not cut off these benefits for States with unemployment of less than 5.3 percent.

It is nice to talk about, but there are 11 States or 10 States and the Virgin Islands that would be affected by this amendment. I do not think it is fair.

One of our colleagues on the Committee on Ways and Means, the gentleman from Florida [Mr. GIBBONS], indicated in the full committee a very clear and eloquent message that what happens in large States, when someone lives 300 or 400 or 500 miles from one part of the State where they might be faced with unemployment at 2 percent and pockets of high unemployment 400 miles away that are suffering with 8 to 9 percent of unemployment. It is not fair.

We have had an economic problem in this country. It is not fair at this point in time. If we want to look at the triggers once again, as we try to reform this whole area, that might be all right. But now we are faced with high unemployment in these 10 States as well as the Virgin Islands, as it relates to big States and it relates to pockets of high unemployment.

I would ask my colleagues to reject the amendment offered by the gentleman from Connecticut [Mrs. JOHNSON], and let us move forward and pass this unemployment compensation bill that we can send a bill to the Senate and we do not have to go to conference, maybe, and get this ball rolling and offer the unemployment compensation benefits to those who are in need of it.

Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Chairman, this body always fascinates me. It truly represents America. Members can look at things so differently, even two women from the same State with abutting districts.

I cannot reduce this debate on this amendment to facts and figures and arbitrary thresholds. If one is laid off in a State with 4.9-percent unemployment, it hurts just as much as if they were in a State with 5.1-percent unemployment. They have to address their obligations until they get another job.

What disturbs me most about this amendment is that it lacks the realities of life in America today. Downsizing is in. And often, that individual who is laid off is a woman 50 or over. Better to hire a younger worker. It costs less and they do not have to get into that pension benefit.

It is not easy to get a job when one is over 50. But at least if they have unemployment compensation, they can catch their breath. They can get organized. They can think about what they will do next. But it takes a long time to get that job, and they really need those extended unemployment compensation benefits.

This amendment is not well thought out. I really hope that my colleagues will defeat it. It does not make sense.

Mr. FORD of Tennessee. Mr. Chairman, I yield 1 minute to the gentleman from Hawaii [Mr. ABERCROMBIE].

Mr. ABERCROMBIE. Mr. Chairman, I had the opportunity recently to read a biography of Charles Dickens by Peter Ackroyd. I want to commend to the attention of the gentlewoman from Connecticut an observation made by an editorial in the London Daily News in 1870.

In his pictures of contemporary life posterity will read more clearly than in contemporary records the character of 19th century life.

I would suggest that this amendment is a good example of 19th century life in Dickens' time, and I would suggest that with the Christmas season coming up, we might want to take a look at "A Christmas Carol."

Are there no poorhouses? Are there no workhouses for the poor? Do we not give alms?

Perhaps the gentlewoman would like to return to the era of Ebenezer Scrooge, to take people and put them into a category where they are dehumanized.

How anybody can come and say that someone is not 100 percent unemployed when they lack a job is beyond me.

An economist is somebody who has a job telling someone else what they do not have one. And when they can come up and give definitions about full employment meaning 5 percent of the people are disenabled from being able to pursue their unemployment chances with the unemployment insurance, then that truly is a picture of contemporary life. Yes, Victorian, Dickensian life, not the kind of life that we need to lead in this time in this country.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Chairman, I thank the gentlewoman for yielding time to me.

I think, particularly after the last speaker, it is necessary for us to bring this debate back into the parameters in which we are debating. We are talking about what constitutes an emergency.

These extraordinary benefits are coming about in this bill because there exists emergencies in some parts of the country. Clearly, if we have got 4 or 5 percent unemployment in one State, that is not nearly as severe as when we have 6, 7, or 11 percent in another State.

Obviously, 10 or 11 percent unemployment is an emergency; 4, 5 percent is not an emergency.

When we have 4 or 5 percent, we have got less people going after more jobs. There are more jobs out there. But when we have 11 percent, we have got more people going after less jobs. That is an emergency.

So let us not get carried away with Scrooge and the "Christmas Carol" and all these things. Let us get down to the hard facts.

We are here to legislate. We are here to be responsible. We are here not to give away tax dollars but to responsibly spend them.

That is the debate that we are talking about today. It is not talking about being hard-hearted. It is not talking about being a Scrooge. It is recognizing exactly the world as it exists today.

There are different conditions in different parts of the country. The amendment before us is a sound amendment. I would urge a "yes" vote on the Johnson amendment.

Mr. FORD of Tennessee. Mr. Chairman, I yield 30 seconds to the gentleman from Indiana [Ms. LONG].

Ms. LONG. Mr. Chairman, I rise in opposition to this amendment because if it is adopted, long-term unemployed individuals in my State of Indiana will be denied extended unemployment benefits.

This amendment tells some long-term unemployed individuals that while their neighbors across the State line may qualify, they will be denied the very same benefits.

Furthermore, there are serious questions regarding the way we calculate unemployment and that we are likely underestimating unemployment rates in some States, including my State of Indiana.

I am going to be voting "no" on this amendment, and I urge my colleagues to do the same.

Mr. FORD of Tennessee. Mr. Chairman, I yield 1 minute to the gentleman from North Dakota [Mr. POMEROY].

□ 1200

Mr. POMEROY. Mr. Chairman, I have not been here long. This idea implicit in this amendment represents one of the most misguided efforts I have seen since I got here. The emergency unemployment program is a family relief measure, not a State relief measure. If you are an unemployed sole provider, your household unemployment is 100 percent.

Mr. Chairman, should Congress deny emergency unemployment benefits to textile workers in North Carolina, longshoremen in Delaware, oilfield workers in North Dakota, and workers in seven other States, simply on the basis of where they live? If yes, then you should support the amendment sponsored by Representative JOHNSON of Connecticut.

However, if you believe, as I do, that all workers who have suffered long-term unemployment should be allowed equal access to emergency unemployment benefits, then you must vote "no" on the Johnson amendment.

Mr. Chairman, I am afraid that a statewide unemployment rate of less than 5 percent is far from a clean bill of economic health as the gentlewoman would suggest. In the case of North Dakota, we have already lost thousands of valued citizens who—in the face of chronic difficulties in agriculture and energy—have been forced to move away.

Depressed agriculture prices, a bust in the world oil market, 2 years of drought followed by this summer's floods have all contributed to serious economic dislocation. Mr. Chairman, I hope that the long-term unemployed people who have stayed in North Dakota and continue to look for work in our State will not be denied the same access to emergency unemployment compensation as workers in other States. We need these people to stay in North Dakota, find jobs in North Dakota and help grow our State's economy. Mr. Chairman, it is bad enough that North Dakotans have been forced to leave to leave our State in search of work—please do not force them to leave in search of Federal emergency unemployment benefits.

Mr. Chairman, the gentlewoman's amendment is a blunt instrument that would save a small sum of money only by arbitrarily denying many American families their rightful access to emergency unemployment benefits. The gentlewoman says that workers in North Dakota and nine other States do not deserve emergency unemployment benefits because the statewide unemployment rate is less than 5 percent. Now, in Connecticut, the State unemployment rate may tell the whole story—the individual county rates deviate by less than 2 percent from the State average of 6.6 percent. The picture is a little different in North Dakota. In Slope County, ND, the unemployment rate is 9.1 percent, in McHenry County it's 10.8 percent, Rolette County is 13.7 percent, in Benson County it's 14.6 percent—more than twice the rate of unemployment in Litchfield, County, CT, in the gentlewoman's district. In fact, 16 counties in my State have an unemployment rate of more than 5 percent. However, if Congress adopts the Johnson amendment, workers in these counties, the State of North Dakota, and nine other States would be ineligible for emergency benefits. The gentlewoman from Connecticut undoubtedly knows Connecticut, but she clearly knows nothing about North Dakota and some of the other States where her amendment would bar benefits.

Mr. Chairman, I would also like to point out that unemployed workers in



North Dakota are exhausting their regular unemployment benefits at a higher rate than workers in 37 other States. These numbers mean that unemployed workers in North Dakota are every bit as much in need of an emergency extension of benefits as workers anywhere in the country. If Congress adopts the Johnson amendment, we will slam the door on North Dakota families who have exhausted regular benefits just as readily as families in Connecticut.

Workers in 9 States are barred, and workers in 10 States are very close to the arbitrary limit.

Mr. Chairman, this amendment is unfair. The needs of the long-term unemployed in my State are no different from the needs of the unemployed in the district of each and every Member of this House. While this amendment would save some money, it would wreak untold hardship on struggling families in North Dakota and throughout the country. Emergency unemployment compensation is a household-relief package, not a state-relief package.

Mr. FORD of Tennessee. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. BARCA].

Mr. BARCA of Wisconsin. Mr. Chairman, this ill-conceived amendment would prevent many out-of-work Americans from receiving the same emergency unemployment benefits as their neighbors. If passed, this amendment would deny any access to thousands of hard-working citizens of this country who worked hard to qualify for their benefits and are in desperate need of emergency unemployment benefits.

The measure targets States such as Wisconsin and nine others where statewide unemployment is currently below 5 percent. This amendment fails to recognize that while the statewide percentage may be low, there are many regions in these States where unemployment is very high and in some cases double the statewide rate. This proposal has many other faults.

First, the amendment ignores the fact that, historically, unemployment declines between August and September. In addition, first-time claimants in Wisconsin have almost doubled in the last year—increasing from 35,970 through August 1992 to 60,586 as of August 1993. So the employment figures that the gentleman from Connecticut proposes to use may not be the most accurate gauge of the employment situation.

Second, the idea of terminating emergency benefits in States with less than 5 percent unemployment is not fair to dislocated workers from especially hard-hit industries. If you are a dislocated worker whose trade is no longer in demand, the fact that unemployment rates may be low is of no solace because you need retraining in order to find a new job. This policy of arbitrary exclusion punishes working

families, who earned this benefit, simply because of where they live.

This proposal does not pass scrutiny when examined on a case-by-case basis. Take for example, the situation in the district I represent. Racine, WI, is a manufacturing-based city with an unemployment rate of 6.3 percent—well above the State's 5 percent rate. In Janesville and Beloit, the rate is also 6.3 percent. Is an unemployed assembly worker in any of these cities any less in need of benefits than a laid-off machine operator living in Connecticut, perhaps even in a county with a lower unemployment rate? Of course not.

Do we really want to refuse emergency unemployment compensation to out-of-work Americans just because of where they live?

American workers are still suffering from a sluggish economy damaged by years of inaction and inattention to growing a high-wage job base. I urge my colleagues to reject this unfair amendment and stand up for American workers, regardless of where they live because emergency unemployment compensation is a much needed relief for families in very difficult situations.

The CHAIRMAN. The Chair would remind the gentleman from Connecticut [Mrs. JOHNSON] that she has 1 minute remaining.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 30 seconds to the gentleman from New York [Mr. HOUGHTON].

Mr. HOUGHTON. Mr. Chairman, if there were any way to make a bad deal better, and I have said I would support this bill, it is to put realism in it. Here we are talking about these percentage figures. I have a county in the district I represent soaring toward 25 percent unemployment. There is where we need help. That is what we have to do.

However, why should the people that are holding onto jobs by their fingertips in that other 75 percent pour money into a State for unemployment that is below 5 percent? It does not make sense. I absolutely support the amendment of the gentleman from Connecticut [Mrs. JOHNSON].

Mr. FORD of Tennessee. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise to speak against this amendment. Let me share with the Members there may be reasons for having a threshold of 5 percent. Certainly there are studies that are indicating we will never have full employment, but this amendment is not needed. It is ill-conceived to make benefits available at the State level.

In my district I have 28 counties. Not one, not one is less than 5 percent. We have from 10 to 8 percent. If we are going to have a threshold, that thresh-

old should be at the county level. This would be denying the very people we are wishing to get at, those over 5 percent.

Mr. Chairman, I urge my colleagues to vote against this bill. It is ill-conceived at the level it is proposed.

Mr. FORD of Tennessee. Mr. Chairman, I yield 30 seconds to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, what is unemployment? Unemployment is if you do not have a job. What difference does it make where you live? It makes no difference at all. What is the magic of 5 percent? None that I know of, especially in a State like Delaware, which is edging up over the 5-percent level.

The bottom line is that we should not support this amendment, that we should vote against it; that everybody who is unemployed, as has been stated here, is 100 percent unemployed.

If we want a fair system, maybe we should look at the States with the highest per capita income, and they could do more about it, which might affect some other States here. We should not punish the States with good economies, but have people who are unemployed and suffer as a result of that.

I urge a "no" vote on this amendment.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, if the Members want to have no trigger, then just have extended benefits unlimited, have an unemployment system that provides unemployment benefits unlimited and tax for it. Do it honestly, do it above-board.

If we are not going to tax for it and fund it responsibly, then we are going to have to set priorities, and we are going to have to recognize that people who live in States with 3 and 4 percent unemployment can get jobs, and people who want to produce in States with low unemployment, cannot hire, have to turn down orders.

Let us do it honestly and straight, either have extended benefits forever, for everyone, and tax and pay for it, or else stand by our old system that always required a higher trigger for emergencies.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. FORD] for 1 minute to close debate.

Mr. FORD of Tennessee. Mr. Chairman, I yield 30 seconds to the gentleman from Kansas [Mrs. MEYERS].

Mrs. MEYERS of Kansas. Mr. Chairman, I rise in opposition to this amendment. Kansas does not fall below the 5 percent right now, but we are right at the 5-percent level. The areas that this amendment will affect are cities, urban cores within primarily rural States. For instance, in Wyandotte County in the State of Kansas, the unemployment rate is 8.7 and probably going up,

although the level of the State is right at 5 percent.

Unemployment is unemployment, regardless of where one lives. The suffering is exactly the same. I rise in opposition to this amendment.

Mr. FORD of Tennessee. Mr. Chairman, I yield 30 seconds to the gentlewoman from Hawaii [Mrs. MINK] for closing arguments.

Mrs. MINK. Mr. Chairman, Congress must extend unemployment benefits, and it must extend these benefits on the basis of people being unemployed, not because of States that have no relevance whatsoever to this individual family suffering in agony. I plead with the Congress to reject this amendment.

In my own congressional district, which is heavily unemployed, although the statistics for Hawaii are just below 5 percent, I have 10 percent unemployment in one county, 12 percent in another, and these people cannot be left out of this extended benefit bill.

Mr. KIM. Mr. Chairman, I rise in support of the Johnson amendment stipulating that States with a 3-month average total unemployment of less than 5 percent be ineligible for this set of unemployment funds.

This is not an issue of helping Americans in high unemployment States while ignoring those in States with lower rates. I strongly believe we should be helping all American unemployed, regardless of the State in which they reside. Enactment of the Johnson amendment will not deny assistance to any unemployed American.

The Johnson amendment addresses the issue of who pays for additional benefits, the State or the Federal Government. States that are economically healthy do not need additional Federal assistance. The combination of low unemployment and growing economies should result in adequate funds being available in State unemployment insurance accounts. Why should the Federal Government, which is \$4 trillion in debt and continues to have significant annual budget deficits, provide funds when the State already has enough in its own account?

California has one of the highest unemployment rates in the country—over 10 percent. For years, California has done more than its fair share in paying Federal taxes subsidizing unemployment benefits in most other States. Californians have always helped fellow Americans in need, whether they be the victims of Mississippi River floods or devastating east coast hurricanes like Andrew and Hugo.

Unlike many other States, California has not yet recovered from its prolonged recession. Continued base closings and defense cutbacks add further obstacles to economic recovery. My district continues to face very tough times. Unlike most other States, California will significantly and adversely feel the impact of the new 4.3-cent gasoline tax. California can no longer afford to subsidize better-off States. Did California get special Federal subsidies when its economy was stronger? No. Why should other States, especially when the Federal Government cannot afford it?

The Johnson amendment is a very responsible and fiscally sound effort to address this

emergency situation. I repeat, it does not deny benefits to anyone. It simply requires rich States to pay for themselves and stops them from siphoning off scarce Federal funds from truly needy States like California. I urge my colleagues to join me in supporting the Johnson amendment.

The CHAIRMAN (Mr. MFUME) The question is on the amendment offered by the gentlewoman from Connecticut [Mrs. JOHNSON].

The question was taken; and the Chairman announced that the noes appeared to have it.

## RECORDED VOTE

Mrs. JOHNSON of Connecticut. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 128, noes 277, not voting 33, as follows:

[Roll No. 508]

## AYES—128

Allard	Goss
Archer	Grandy
Armey	Greenwood
Bachus (AL)	Hancock
Baker (CA)	Harman
Bartlett	Hastert
Barton	Herger
Bentley	Hoagland
Billakis	Hobson
Bliley	Hoekstra
Boehner	Hoke
Bonilla	Houghton
Callahan	Huffington
Calvert	Hunter
Camp	Hutchinson
Canady	Hutto
Clinger	Hyde
Collins (GA)	Inglis
Combest	Johnson (CT)
Condit	Johnston
Cox	Kasich
Crane	Kim
Cunningham	King
DeLay	Kingston
Dickey	Knollenberg
Dooley	Lazio
Doolittle	Lehman
Dornan	Levy
Dreier	Lewis (CA)
Duncan	Lewis (FL)
Dunn	Linder
Emerson	Livingston
Everett	Machtley
Ewing	Manzullo
Fawell	McCandless
Franks (CT)	McCollum
Franks (NJ)	McCrery
Galleghy	McInnis
Gekas	McKeon
Gilchrist	Mica
Gingrich	Michel
Goodlatte	Miller (FL)
Goodling	Molinar

## NOES—277

Abercrombie	Blute	Clyburn
Andrews (ME)	Boehlert	Coble
Andrews (NJ)	Bonior	Coleman
Applegate	Borski	Collins (IL)
Bacchus (FL)	Brewster	Collins (MI)
Baessler	Browder	Cooper
Ballenger	Brown (CA)	Coppersmith
Barca	Brown (FL)	Costello
Barcia	Brown (OH)	Coyne
Barlow	Bryant	Cramer
Barrett (NE)	Burton	Crapo
Barrett (WI)	Buyer	Danner
Bateman	Byrne	Darden
Becerra	Cantwell	de la Garza
Beilenson	Cardin	de Lugo (VI)
Berman	Carr	Deal
Bevill	Castle	DeFazio
Bilbray	Chapman	DeLauro
Bishop	Clay	Dellums
Blackwell	Clayton	Derrick

Deutsch	Klink	Rangel
Diaz-Balart	Kopetski	Reed
Dicks	Kreidler	Reynolds
Dixon	LaFalce	Richardson
Durbin	Lambert	Roberts
Edwards (CA)	Lancaster	Roemer
Edwards (TX)	Lantos	Ros-Lehtinen
Engel	LaRocco	Rose
English (AZ)	Laughlin	Rostenkowski
English (OK)	Leach	Roth
Eshoo	Levin	Roukema
Evans	Lewis (GA)	Rowland
Faleomavaega	Lightfoot	Roybal-Allard
(AS)	Lipinski	Rush
Farr	Long	Sabo
Fazio	Lowey	Sanders
Fields (LA)	Maloney	Sangmeister
Flner	Mann	Sarpalius
Fingerhut	Manton	Sawyer
Fish	Margolies-	Schenk
Flake	Mezvinsky	Schiff
Foglietta	Markley	Schroeder
Ford (MI)	Matsui	Schumer
Ford (TN)	Mazzoli	Scott
Frank (MA)	McCloskey	Sensenbrenner
Frost	McDermott	Serrano
Furse	McHale	Sharp
Gallo	McHugh	Shepherd
Gedensson	McKinney	Sisisky
Gephardt	McMillan	Skaggs
Geren	McNulty	Skelton
Gibbons	Meehan	Slaughter
Gillmor	Meek	Smith (IA)
Gilman	Menendez	Smith (NJ)
Glickman	Meyers	Spratt
Gonzalez	Mfume	Stark
Gordon	Miller (CA)	Strickland
Grams	Mineta	Studds
Green	Minge	Stupak
Gunderson	Mink	Swett
Gutierrez	Moakley	Swift
Hall (OH)	Mollohan	Tanner
Hall (TX)	Montgomery	Taylor (NC)
Hamburg	Moran	Tejeda
Hamilton	Morella	Thompson
Hansen	Murphy	Thornton
Hastings	Murtha	Thurman
Hayes	Myers	Torkildsen
Hefley	Nadler	Torres
Hefner	Natcher	Torricelli
Hilliard	Neal (MA)	Trafficant
Hinchey	Neal (NC)	Tucker
Hochbrueckner	Norton (DC)	Underwood (GU)
Holden	Obey	Unsoeld
Horn	Oliver	Valentine
Hoyer	Ortiz	Velazquez
Hughes	Owens	Vento
Inhofe	Oxley	Visclosky
Inslee	Pallone	Volkmer
Istook	Parker	Walsh
Jacobs	Pastor	Waters
Jefferson	Payne (NJ)	Watt
Johnson (GA)	Payne (VA)	Waxman
Johnson (SD)	Peterson (FL)	Wheat
Johnson, E. B.	Peterson (MN)	Whitten
Johnson, Sam	Petri	Williams
Kanjorski	Pickle	Wilson
Kaptur	Pomeroy	Wise
Kennedy	Poshard	Wolf
Kennelly	Price (NC)	Woolsey
Kildee	Quinn	Wyden
Kleczka	Rahall	Wynn
Klein	Ramstad	Yates

## NOT VOTING—33

Ackerman	Klug	Schaefer
Andrews (TX)	Koibe	Skeen
Baker (LA)	Kyl	Slatery
Bereuter	Lloyd	Stokes
Boucher	Martinez	Sundquist
Brooks	McCurdy	Synar
Bunning	McDade	Tauzin
Clement	Oberstar	Towns
Conyers	Orton	Washington
Dingell	Pelosi	Young (AK)
Fields (TX)	Romero-Barcelo	
Fowler	(PR)	

□ 1226

The Clerk announced the following pairs:

On this vote:

Mr. Baker of Louisiana for, with Mr. Dingell against.



Mr. Fields of Texas for, with Mr. Washington against.

Mrs. Fowler for, with Mr. Synar against.

Mr. Kolbe for, with Mr. Orton against.

Mr. GLICKMAN and Mr. QUINN changed their vote from "aye" to "no." Messrs. DICKEY, SHAYS, and HUTTO changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 2, printed in House Report 103-269.

#### AMENDMENT OFFERED BY MR. SWIFT

Mr. SWIFT. Mr. Chairman, pursuant to the rule, I offer amendment No. 2.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SWIFT: At the end of the bill, add the following:

#### SEC. 8. TREATMENT OF RAILROAD WORKERS.

##### (a) EXTENSION OF PROGRAM.—

(1) IN GENERAL.—Paragraphs (1) and (2) of section 501(b) of the Emergency Unemployment Compensation Act of 1991 (Public Law 102-164, as amended) are each amended by striking "October 2, 1993" and inserting "February 5, 1994".

(2) CONFORMING AMENDMENT.—Section 501(a) of such Act is amended by striking "October 1993" and inserting "February 1994".

(b) LENGTH OF BENEFITS DURING PERIOD OF EXTENSION.—Section 501(d)(2)(B)(ii) of such Act is amended by striking "on and after the date on which a reduction in benefits is imposed under section 102(b)(2)(A)(iv)" and inserting "after October 2, 1993".

(c) TERMINATION OF BENEFITS.—Section 501(e) of such Act is amended—

(1) by striking "October 2, 1993" and inserting "February 5, 1994", and

(2) by striking "January 15, 1994" and inserting "April 30, 1994".

The CHAIRMAN. Pursuant to the rule, the gentleman from Washington [Mr. SWIFT] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

Does the gentleman from Ohio [Mr. OXLEY] stand in opposition to the amendment?

Mr. OXLEY. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Ohio [Mr. OXLEY] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Washington [Mr. SWIFT].

Mr. SWIFT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the purpose of this amendment is very simple; it is a conforming amendment to provide railroad workers with the same additional extended unemployment benefits that this legislation provides to other workers. It is only logical that railroad workers should receive the same treatment and benefits that are provided to other unemployed workers.

The reason why benefits for rail workers must be added to this legislation is because they are covered by a

separate program under the Railroad Unemployment Insurance Act. That act is within the jurisdiction of the Energy and Commerce Committee. As always, we have worked closely with the Ways and Means Committee and the Rules Committee to develop acceptable language which carries out the equitable principles I have just outlined and to make sure that railroad employees are not shortchanged.

Finally, I have received a letter from CBO stating that it estimates the cost of this amendment to be \$500,000 in fiscal year 1994. The Railroad Retirement Board has agreed with that estimate. The railroad unemployment program is fully solvent, and financed solely by payroll taxes on railroad employers, so no general revenue funds are required to pay for extended rail benefits.

I have also received a letter from OMB stating that they have included rail workers' benefits in their cost estimates for the Emergency Unemployment Compensation Program. The OMB letter goes on to say that, the administration believes that rail workers should be included in the EUC extension.

I urge Members to support this equitable, necessary, conforming amendment.

□ 1230

Mr. OXLEY. Mr. Chairman, I yield myself such time as I may consume.

I rise to explain briefly the nature of the amendment offered here with respect to the Railroad Unemployment Insurance System.

This system of railroad unemployment insurance is completely separate from the State-Federal joint system of unemployment compensation that covers most American workers. The amendment being offered here today is essentially a temporary extension of the period for which railroad workers may draw unemployment benefits. The temporary extension parallels the changes contained in the underlying bill for workers covered by the regular Federal-State unemployment compensation system.

Because this amendment is essentially a conforming change for railroad workers, it is not, in my view, controversial. Because it is such a minor modification of the bill, the amendment should not affect members' overall position on the bill itself.

Mr. Chairman, I reserve the balance of my time.

Mr. SWIFT. Mr. Chairman, I yield 2 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I thank the gentleman for yielding this time to me.

I am greatly encouraged by this amendment and the fact that the gentleman is offering it today. I encourage my colleagues to accept it.

This is an amendment which the committee chairman and I have offered,

and previously the House has accepted it because it has been included in the rule. Today we bring it up in the spirit of more open rules. We bring it up as an amendment on the floor.

It is very important for the Congress to accept this in order to provide equity for our unemployed men and women who work on the Nation's railroads.

Mr. Chairman, again I thank the committee chairman for offering the amendment.

Mr. OXLEY. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. SWIFT. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. SWIFT].

The amendment was agreed to.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as modified, as amended.

The committee amendment in the nature of a substitute, as modified, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. SLAUGHTER) having assumed the Chair, Mr. MFUME, Chairman of the Committee on the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3167) to extend the emergency unemployment compensation program, to establish a system of worker profiling, and other purposes, pursuant to House resolution 265, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under this rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment in the nature of a substitute, as modified, as amended, adopted by the Committee of the Whole? If not, the question is on the amendment in the nature of a substitute, as modified, as amended.

The amendment in the nature of a substitute, as modified, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. ARCHER

Mr. ARCHER. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ARCHER. In its present form, I am, Madam Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ARCHER moves to recommit the bill, H.R. 3167, to the Committee on Ways and Means.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. ARCHER. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 302, noes 95, not voting 36, as follows:

[Roll No. 509]

#### AYES—302

Abercrombie	Doolittle	Hoekstra
Andrews (ME)	Dunn	Hoke
Andrews (NJ)	Durbin	Holden
Applegate	Edwards (CA)	Horn
Bacchus (FL)	Edwards (TX)	Houghton
Baessler	Emerson	Hoyer
Baker (CA)	Engel	Huffington
Barca	English (AZ)	Hughes
Barcia	English (OK)	Hunter
Barlow	Eshoo	Hutto
Barrett (WI)	Evans	Hyde
Becerra	Everett	Inslee
Beilenson	Ewing	Jacobs
Bentley	Farr	Johnson (CT)
Berman	Fawell	Johnson (SD)
Bevill	Fazio	Johnson, E. B.
Bilbray	Fields (LA)	Kanjorski
Bishop	Filner	Kaptur
Blackwell	Fingerhut	Kasich
Blute	Fish	Kennedy
Boehlert	Flake	Kennelly
Bonilla	Foglietta	Kildee
Bonior	Ford (MI)	Kim
Borski	Ford (TN)	King
Browder	Frank (MA)	Klecza
Brown (CA)	Franks (CT)	Klein
Brown (FL)	Franks (NJ)	Klink
Brown (OH)	Frost	Kopetski
Bryant	Furse	Kreidler
Byrne	Gallegly	LaFalce
Calvert	Gallo	Lambert
Camp	Gejdenson	Lantos
Canady	Gekas	LaRocco
Cantwell	Gephardt	Laughlin
Cardin	Geren	Lazio
Carr	Gibbons	Lehman
Castle	Gillchrest	Levin
Chapman	Gillmor	Levy
Clay	Gilman	Lewis (GA)
Clayton	Glickman	Lipinski
Clinger	Gonzalez	Long
Clyburn	Goodling	Lowey
Coleman	Gordon	Machtley
Collins (IL)	Green	Maloney
Collins (MI)	Greenwood	Mann
Condit	Gunderson	Manton
Cooper	Gutierrez	Margolies-
Costello	Hall (OH)	Mezvinsky
Coyne	Hall (TX)	Markey
Danner	Hamburg	Matsui
Darden	Hamilton	Mazzoli
de la Garza	Harman	McCloskey
DeFazio	Hastert	McDermott
DeLauro	Hastings	McHale
Dellums	Hayes	McHugh
Derrick	Hefner	McKeon
Deutsch	Henger	McKinney
Diaz-Balart	Hilliard	McNulty
Dicks	Hinchey	Meehan
Dixon	Hobson	Meek
Dooley	Hochbrueckner	Menendez

Meyers	Rangel
Mfume	Reed
Michel	Regula
Miller (CA)	Reynolds
Mineta	Richardson
Minge	Ridge
Mink	Roemer
Moakley	Rogers
Molinari	Ros-Lehtinen
Mollohan	Rose
Montgomery	Rostenkowski
Moorhead	Roukema
Moran	Roybal-Allard
Morella	Rush
Murphy	Sabo
Murtha	Sanders
Myers	Sangmeister
Nadler	Santorum
Natcher	Sarpalius
Neal (MA)	Sawyer
Neal (NC)	Saxton
Obey	Schenk
Olver	Schiff
Ortiz	Schroeder
Owens	Schumer
Pallone	Scott
Parker	Serrano
Pastor	Sharp
Paxon	Shepherd
Payne (NJ)	Shuster
Peterson (FL)	Sisisky
Peterson (MN)	Skaggs
Pickett	Skelton
Pombo	Slaughter
Pomeroy	Smith (IA)
Porter	Smith (NJ)
Poshard	Snowe
Price (NC)	Solomon
Quinn	Spratt
Rahall	Stark

#### NOES—95

Allard	Goss
Archer	Grams
Armey	Grandy
Bacchus (AL)	Hancock
Ballenger	Hansen
Barrett (NE)	Hefley
Bartlett	Hoagland
Barton	Hutchinson
Bateman	Inglis
Bilirakis	Inhofe
Bliley	Istook
Boehner	Johnson (GA)
Brewster	Johnson, Sam
Burton	Johnston
Buyer	Kingston
Callahan	Knollenberg
Coble	Lancaster
Collins (GA)	Leach
Combest	Lewis (CA)
Coppersmith	Lewis (FL)
Cox	Lightfoot
Cramer	Linder
Crane	Livingston
Crapo	Manzullo
Deal	McCandless
DeLay	McCrery
Dickey	McInnis
Dornan	McMillan
Dreier	Mica
Duncan	Miller (FL)
Gingrich	Nussle
Goodlatte	Oxley

#### NOT VOTING—36

Ackerman	Fowler	Pelosi
Andrews (TX)	Jefferson	Schaefer
Baker (LA)	Klug	Skeen
Bereuter	Kolbe	Slattery
Boucher	Kyl	Stokes
Brooks	Lloyd	Sundquist
Bunning	Martinez	Synar
Clement	McCollum	Tauzin
Conyers	McCurdy	Towns
Cunningham	McDade	Washington
Dingell	Oberstar	Wheat
Fields (TX)	Orton	Young (AK)

□ 1256

The Clerk announced the following pairs:

On this vote:

Mr. Brooks for, with Mr. Baker against.

Mr. Bunning for, with Mr. Fields of Texas against.

Mr. Dingell for, with Mrs. Fowler against. Mr. Oberstar for, with Mr. Kolbe against.

Mr. BREWSTER and Mr. PAYNE of Virginia changed their vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. CUNNINGHAM. Madam Speaker, I was unavoidably absent for rollcall vote 509, on final passage of H.R. 3167, the unemployment compensation extension. Had I been present, I would have voted "no."

#### PERSONAL EXPLANATION

Mr. CLEMENT. Madam Speaker, regretably, official business in the Fifth District prevented me from being present today to vote on H.R. 3167, the Emergency Unemployment Benefits Extension Act.

If I had been present, I would have voted in favor of the passage of this important measure.

#### PERSONAL EXPLANATION

Mr. ORTON. Madam Speaker, during rollcall vote No. 509 on H.R. 3167 I was unavoidably detained. Had I been present, I would have voted "yea."

#### PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2520, DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1994

Mr. NATCHER. Madam Speaker, I ask unanimous consent that the managers may have until midnight tonight, October 15, 1993, to file a conference report on the bill (H.R. 2520) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

The SPEAKER pro tempore (Ms. SLAUGHTER). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

#### REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2519, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-295) on the resolution (H. Res. 276) waiving points of order against the conference report to accompany the bill (H.R. 2519) making



appropriations for the Departments of Commerce, Justice, and State, the judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### LEGISLATIVE PROGRAM

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Madam Speaker, I ask for this time to inquire of the distinguished majority leader the program for next week.

Mr. GEPHARDT. Madam Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the distinguished gentleman from Missouri.

Mr. GEPHARDT. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, obviously votes are finished for today. There will be no votes on Monday, but the House will meet at 12 noon to consider bills on suspension. The recorded votes on the suspensions will be postponed until Tuesday, October 19. The gentleman from Illinois [Mr. MICHEL] has the listing of those bills on the sheet.

On Tuesday, October 19, the House will meet at 11 a.m. Members should note that meeting time. We are meeting earlier on that day for the reason that we have a lot of business on that day because we have three appropriations conferences that we need to try to complete. The first vote will be expected about 1 p.m. on Tuesday.

Obviously, we have a number of appropriation conference reports that will be coming on the floor. On that day the three that Members can expect to come to the floor are energy and water, Veterans Affairs, and Commerce, Justice, and State.

Then the rest of the week we will be meeting at 10 o'clock, on Wednesday and Thursday, and possibly Friday, to finish with conference reports.

□ 1300

As the gentleman knows, the time on the continuing appropriation expires on Thursday and, therefore, we do need to try to get all of these done, if we possibly can, on Thursday, by Thursday.

If we cannot, then we will have to be here Friday.

Mr. MICHEL. Madam Speaker, on a motion to go to conference on Defense authorization, will that be up there sometime?

Mr. GEPHARDT. Madam Speaker, if the gentleman will continue to yield, that will be Tuesday.

Mr. MICHEL. And then that Biological Survey Act, further consideration of that probably and those other?

Mr. GEPHARDT. Madam Speaker, we will consult with the committee and Members on the other side about the

availability of that bill. We have a number of items here that could be pieced into a schedule, if needed. But our real priority is the appropriation bills.

Mr. MICHEL. Madam Speaker, I thank the distinguished majority leader.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GEPHARDT. Madam Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore (Ms. SLAUGHTER). Is there objection to the request of the gentleman from Missouri?

There was no objection.

#### HOUR OF MEETING ON TUESDAY, OCTOBER 19, 1993

Mr. GEPHARDT. Madam Speaker, I ask unanimous consent that when the House adjourns on Monday, October 18, 1993, it adjourn to meet at 11 a.m. on Tuesday, October 19, 1993.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

#### NOTIFICATION OF MEMBERS BY COMMITTEE ON RULES REGARDING FILING OF AMENDMENTS TO H.R. 1036

(Mr. MOAKLEY asked and was given permission to address the House for 1 minute.)

Mr. MOAKLEY. Madam Speaker, this is to notify Members regarding the Rules Committee's plans on H.R. 1036, legislation to amend the Employee Retirement Income Security Act of 1974 to provide that such act does not preempt certain State laws. The committee is planning to meet on the measure the week of October 18 to take testimony and grant a rule on the bill. In order to assure timely consideration on the bill on the floor, the Rules Committee is considering a rule that may limit the offering of amendments.

Any Member who is contemplating an amendment to H.R. 1036 should submit, to the Rules Committee in H. 312 in the Capitol, 55 copies of the amendment and a brief explanation of the amendment no later than 12 noon on Wednesday, October 20, 1993.

The committee appreciates the cooperation of all Members in this effort to be fair and orderly in granting a rule for H.R. 1036.

#### ADJOURNMENT TO MONDAY, OCTOBER 18, 1993

Mr. MOAKLEY. Madam Speaker, I ask unanimous consent that when the

House adjourns today, it adjourn to meet at noon on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### REDUCING SUBSIDIES AND ELIMINATING CERTAIN PROGRAMS UNDER THE NATIONAL WOOL ACT OF 1954

Mr. DE LA GARZA. Madam Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1548) to amend the National Wool Act of 1954 to reduce the subsidies that wool and mohair producers receive for the 1994 and 1995 marketing years and to eliminate the wool and mohair programs for the 1996 and subsequent marketing years, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. ROBERTS. Madam Speaker, reserving the right to object, I will not object, and I yield to the distinguished chairman of the House Committee on Agriculture, the gentleman from Texas [Mr. DE LA GARZA], for the purpose of explaining to the House the nature of the bill.

Mr. DE LA GARZA. Madam Speaker, I thank the gentleman for yielding to me.

Madam Speaker, S. 1548 will provide for a 2-year phaseout of payments and repeal the authority for expenditures for the wool and mohair programs by December 31, 1995.

This legislation follows up on a commitment I made here on the House floor on September 30 to bring a bill before the House to end the permanent authorization for the wool and mohair programs.

Let me briefly explain to Members how we arrived at this point. There has been some confusion here in Congress and around the country about whether Congress has ended or not ended the wool and mohair programs.

Last night the other body approved and sent to the President the fiscal 1994 Agriculture appropriations conference report.

That conference report sent to the President includes language that terminates immediately all producer payments for the honey program. It also includes the amendment agreed to here in the House to provide full funding of the incentive payments for the 1993 crops of wool and mohair, but no funding for the 1994 crops.

Even long-time critics of these programs agreed with us that funding for the 1993 program should be allowed. This is only fair to those farmers and ranchers who secured operating loans

this year based on the expectation of receiving Government incentive payments early next year.

However, the appropriations conference report only affects the 1-year appropriations bill. It does not affect the underlying, permanent authority known as the Wool Act.

That is why on September 30, I made a commitment here on the House floor—in a colloquy with Mr. ARMEY of Texas and Mr. ZIMMER—to bring legislation to the floor this year to amend the Wool Act and give Members of the House the opportunity to seek further reform.

The bill before us was also approved last night by the other body by voice vote. It is a separate bill to phase down wool and mohair incentive payments over the next 2 years, and repeal the entire Wool Act authority effective December 31, 1995.

I have reviewed this legislation today and consulted with other Members interested in the wool and mohair programs—including those who have producers in their districts as well as those who have advocated complete repeal of the programs.

Madam Speaker, I recognize there are some of my colleagues here and many agricultural producers who believe the current wool and mohair programs should be preserved. I share their frustrations with the often unfair criticisms leveled against these programs.

But I have also come to the conclusion it is time to settle this issue once and for all. It is time to move on and focus our attention on how we can construct agricultural policies to meet today's political and budget realities.

Madam Speaker, rather than keep the future of the wool and mohair programs in doubt over the next few weeks trying to develop a different reform bill, I believe we should move the Senate-passed legislation today.

This legislation appears to be a workable and acceptable compromise. It gives our Nation's 100,000 wool and mohair producers 2 years to adjust their operations and their financial arrangements in preparation for the end of the program. And at the end of 2 years this bill fully and completely repeals the Wool Act.

Madam Speaker, I support and urge passage of this legislation.

Mr. ROBERTS. Madam Speaker, continuing my reservation of objection, I am reminded of an old radio program, TV program called "Truth or Consequences." and in truth, all Government programs certainly need reform. That certainly includes agriculture program policy. But we must make sure the consequences are not really counterproductive and so, under my reservation, I yield to the gentleman who in the past has been one of the many Dr. Kevorkians of agriculture program policy here in the House. But

instead of being Lizzie Borden and taking 40 whacks on the farm program, he now has a scalpel.

With a scalpel, he has agreed to what we consider to be true reform on the House Committee on Agriculture but in such a way that will allow farmers and ranchers time to adjust, to honor contracts, to make sure our banks and producers do not go bankrupt in the process.

Madam Speaker, I yield to the gentleman from New Jersey [Mr. ZIMMER].

Mr. ZIMMER. Madam Speaker, I thank the gentleman for yielding to me. I thank him for his generally kind remarks.

As the sponsor of the legislation that would have flatly and immediately repealed the wool and mohair legislation, I commend the chairman of the Committee on Agriculture and the ranking Republican member for devising a compromise that really accomplishes the objective without hardship to people who legitimately were relying on the policy of the Federal Government for many years in having this subsidy program.

It will be phased out. It will be terminated on a date certain, as a result of this legislation. I consider this legislation to be, in fact, redemption of the pledge that the gentleman made to the gentleman from Texas [Mr. ARMEY] and me on the floor of the House quite recently that we would have an opportunity to deal with the substance of the program. It has been dealt with in a fair way, I believe, and in a way that ultimately will benefit the taxpayers with a minimum harm and disruption to the ranchers who have been relying on this program for so many years.

I thank both of the gentleman for their role in this compromise that will save taxpayers hundreds of millions of dollars in the future.

Mr. ROBERTS. Madam Speaker, continuing my reservation of objection, I thank the gentleman for his commentary and for the opportunity for us to redeem ourselves on the Committee on Agriculture, which we will endeavor to do.

Madam Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1548

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SUPPORT PRICE FOR WOOL AND MOHAIR.

Section 703 of the National Wool Act of 1954 (7 U.S.C. 1782) is amended—

(1) by striking subsection (a) and inserting the following new subsection:

"(a) Subject to subsection (b)(3), the Secretary of Agriculture shall, through the Commodity Credit Corporation, make loans

and payments to producers of wool and mohair through December 31, 1995.";

(2) in subsection (b)—

(A) in paragraph (2), by striking "1997" and inserting "1995"; and

(B) by striking paragraph (3) and inserting the following new paragraph:

"(3) No loans, purchases, or payments shall be made for the 1996 and subsequent marketing years, except that loans and payments for the 1995 marketing year shall be paid in 1996."; and

(3) by adding at the end the following new paragraph:

"(4)(A) Through December 31, 1995, the Secretary shall offer to wool and mohair producers recourse loans under terms and conditions that are prescribed by the Secretary, except that the loans shall be administered at no net cost to the Federal Government.

"(B) A producer who fails to repay a loan made under subparagraph (A) by the end of the following marketing year shall be ineligible for a loan under this Act for that marketing year and subsequent marketing years."

#### SEC. 2. REDUCTION IN PAYMENTS.

Section 704(a) of the National Wool Act of 1954 (7 U.S.C. 1783(a)) is amended by inserting after the first sentence the following new sentence: "In the case of each of the 1994 and 1995 marketing years, the payments shall be 75 and 50 percent, respectively, of the amount otherwise determined under the preceding sentence."

#### SEC. 3. ELIMINATION OF WOOL AND MOHAIR PROGRAMS.

(a) IN GENERAL.—Effective December 31, 1995, the National Wool Act of 1954 (7 U.S.C. 1781 et seq.) is repealed.

(b) APPLICATION.—The repeal made by subsection (a) shall apply to both the wool and mohair programs.

(c) PROHIBITION.—Effective beginning December 31, 1995, the Secretary of Agriculture may not provide loans or payments for wool or mohair by using the funds of the Commodity Credit Corporation or under the authority of any law.

#### SEC. 4. REMOVAL OF PRICE SUPPORT REFERENCES.

(a) Section 702 of the National Wool Act of 1954 (7 U.S.C. 1781) is repealed.

(b) Section 703 of such Act (7 U.S.C. 1782) is amended—

(1) by striking the section heading and inserting the following new section heading:

"SUPPORT PRICE FOR WOOL AND MOHAIR";

(2) in subsection (b)(1)(i), by striking "such price support" and inserting "the support price"; and

(3) in subsection (d), by striking "price support" and inserting "support under this section".

(c) Section 704 of such Act (7 U.S.C. 1783) is amended—

(1) by striking the section heading and inserting the following new section heading:

"SEC. 704. PAYMENTS.";

and

(2) in subsection (a), by striking "If payments are utilized as a means of price support, the" and inserting "The".

(d) The first sentence of section 706 of such Act (7 U.S.C. 1785) is amended by striking "price support operations" and inserting "operations under this Act".

#### SEC. 5. LIABILITY OF PRODUCERS.

A provision of this Act may not affect the liability of any person under any provision of law as in effect before the effective date of the provision.

The Senate bill was ordered to be read a third time, was read the third



time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. DE LA GARZA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### IN SUPPORT OF THE SELECTIVE SERVICE SYSTEM

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Madam Speaker, I rise today pertaining to a conference report that will come up on Tuesday, H.R. 2491, the Veterans Affairs, Housing and Urban Development conference report.

I would like to point out to my colleagues, I hope they will support an amendment in disagreement which the gentleman from New York [Mr. SOLOMON] and I will handle to support the Senate amendment which says that we must have the Selective Service System.

The House Subcommittee on Appropriations has eliminated funding for the Selective Service System. This is a serious mistake and certainly I would hope that on Tuesday that the House would overturn the committee and would vote for the Selective Service System.

Madam Speaker, I have 21 organizations, great, patriotic organizations, both military and veterans, that totally support saving this system.

The Selective Service System is an inexpensive insurance in case this country has an emergency down the line. We would not like to have this area of the Selective Service eliminated. This will come up Tuesday.

Madam Speaker, I include for the RECORD the list to which I referred.

#### ORGANIZATIONS THAT SUPPORT CONTINUATION OF THE SELECTIVE SERVICE SYSTEM

Air Force Association.  
Air Force Sergeants Association.  
American Defenders of Bataan and Corregidor.  
The American Legion.  
Amvets.  
Association of the U.S. Army.  
Catholic War Veterans.  
Enlisted Association of National Guard.  
Fleet Reserve Association.  
Jewish War Veterans.  
Marine Corps League.  
Marine Corps Reserve Officers Association.  
Military Order of the Purple Heart.  
National Association for Uniformed Services.  
National Guard Association of the U.S.  
Naval Reserve Association.

Non Commissioned Officers Association.  
Polish Legion of American Veterans.  
Reserve Officers Association.  
The Retired Officers Association.  
Veterans of Foreign Wars.

□ 1310

#### FIRST YOU SAY YOU DO, THEN YOU DON'T

(Mr. MICA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICA. Madam Speaker, the Clinton report to Congress relating to United States involvement in Somalia is before the Members today. Unfortunately, this document is a monument to doubletalk.

While President Washington cautioned against foreign entanglements, and Jefferson sought peace through strength, and Teddy Roosevelt cautioned, speak softly but carry a big stick, President Clinton has adopted the theme of an old tune.

"First you say you do, then you don't; then you say you will and then you won't." In the past 10 months he has helped the United States establish the credibility of a banana republic.

First we are nation-building, then we are not.

Next we are chasing Aideed, then we are not.

This week we are going into Haiti, then we are not.

Let me say that even if this administration is as the old tune says—"undecided now," this Congress has a responsibility to define what we as a nation are doing with our foreign policy.

Once again, I call on the chairmen of the Committees on Armed Services and Foreign Affairs to hold hearings to determine where our foreign and military policy has been, where we are now, and where we are going next.

#### HERE THEY GO AGAIN

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, Halloween is still 2 weeks away, but the big spenders at the White House just cannot wait to show us their holiday spirit. Unfortunately, it is mostly tricks and no treats. Remember the budget fiasco, the one that raised taxes \$250 billion retroactively?

In order to secure that razor thin, one-vote margin to pass the largest tax hike in our history, the President pledged that he would offer spending cuts sometime later. That is the treat. But now we read that even as the administration struggles to bring forward a minimal package of spending cuts—\$12 billion over 5 years—they are making plans to spend that money on new programs. That is real trickery. And it

comes today directly from the President's own Budget Director, Leon Panetta, who tells us proposed savings will not be used to reduce the deficit after all, they will be used for new spending. Mr. Speaker, I say enough of Halloween surprises. We already have a \$4.3 trillion debt in this country. We cannot afford this new trickery.

#### ORDER OF BUSINESS

Mr. KANJORSKI. Mr. Speaker, I ask unanimous consent that on October 15, 1993, the special order of the gentleman from Michigan [Mr. BONIOR] be transposed with the special order for the gentleman from Pennsylvania [Mr. KANJORSKI].

The SPEAKER pro tempore (Mr. COPPERSMITH). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

#### CONCERN REGARDING THE CLINTON ADMINISTRATION'S POLICY TOWARD SOMALIA

(Mr. LIVINGSTON asked and was given permission to address the House for 5 minutes and to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, I am very concerned about the lack of consistency in the Clinton administration's policy toward Somalia. This lack of consistency questions both competence and candor.

Mr. Speaker, the evidence, and the words of Clinton administration officials, both prove that the administration has been pursuing an explicit policy of nation-building in Somalia. Yet on October 13, the President claimed in a signed report to Congress that "the U.S. military mission is not now nor was it ever one of 'nation-building.'"

This denial is a weak attempt to try to avoid responsibility for the dreadful effects of the nation-building policy, and of the ill-advised decision to take sides in Somalia's internal disputes.

Consider this history of events:

First, on March 26—well after the timeframe established by former President Bush for withdrawal of U.S. forces—the United Nations adopted Resolution 814, which the United States not only supported strongly but actually helped draft. That resolution expanded the U.N. mission to that of building political and judicial systems in Somalia, and pledged continued United States military support for that effort. In other words, the Clinton administration actually helped draft this nation-building policy which called for a continued U.S. military presence.

Republicans responded by adopting an April 1 Policy Committee resolution to bring all our troops home.

Second, on May 4, command officially was transferred from the United States to the United Nations. On May

10, U.S. troop strength stood at 4,220. U.S. troop numbers actually rose thereafter, to 4,421, by May 26—1 day after the House rejected the Republican-backed Roth amendment which would have pulled U.S. troops out by no later than June 30. On June 6, the Clinton administration backed U.N. Resolution 837, which called for the arrest and trial of those responsible for Pakistani deaths in Somalia—meaning, we now know, General Aided.

The Clinton administration thereafter strongly supported the effort to track down Aided, with Clinton's specific approval to send 400 Army Rangers for that purpose—even though Marine Corps Gen. Joseph Hoar specifically objected to turning our mission into a manhunt.

Third, on August 9, while traveling in West Virginia with the President, Press Secretary Dee Dee Myers said that "we went in there with a clear vision of humanitarian relief and nation-building. They're still in that process." In the same Washington Post article in which Ms. Myers was thus quoted, another administration official said that the U.S. already had succeeded in its original mission of securing famine relief efforts—in effect admitting that their current mission was different from the one outlined by President Bush.

Fourth, on August 27, Defense Secretary Aspin said in a speech that the nation-building mission began in May.

Fifth, by August 30, United States troop strength in Somalia had risen again, to 4,513—and by October 4, it had risen again, to 4,697. Despite all these troop number enhancements, Dee Dee Myers claimed the next day that "we've been in the process of drawing down U.S. troops there since May."

Mr. Speaker, those numbers just do not add up.

Sixth, the next day, the President tried to shunt responsibility to the United Nations for adopting the nation-building policy. "The U.N. shifted course," he said, "and said we ought to stay there until nation-building takes place." Thus, he disavowed his administration's actions in support of the resolution which called for nation-building, and in pursuit of that policy.

Now, after all that, the President tells us that the U.S. military mission was never one of nation-building. And what that demonstrates is that the same administration which said it will not let our troops "cut and run" from danger in Somalia, is more than willing to try to flee from responsibility for the policy that put those troops in harm's way in the first place.

The facts show that the Clinton administration acted explicitly to change our military mission to nation-building, yet now that the policy has led to more than 150 U.S. casualties, the administration wants to deny its role in the havoc which ensued.

The President should take responsibility, admit the mistake, and move on. Now that we have Officer Durant back from captivity, we should do what many of us said we should do months ago: declare victory over hunger in Somalia, and immediately begin an orderly process to pull every last United States soldier and marine out of that country.

□ 1320

#### UNITED STATES POLICY IN SOMALIA

The SPEAKER pro tempore (Mr. COOPERSMITH). Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 5 minutes.

Mr. DORNAN. Mr. Speaker, if I may pick up where the gentleman from Louisiana left off, I hope the million-plus Americans that follow the proceedings of this great Chamber, the world's leading parliament, are aware of the disarray that our foreign policy is in. Finally it is getting personal.

Former President George Bush, being the consummate gentleman that he is, said that he was going to implement a rule not to criticize, and the gentleman from Louisiana can join in on this if he wants to, that he is not going to criticize foreign policy for a year. He has lasted 9 months. He could not help it any longer, because they made it personal.

The Clinton administration at the highest level said their foreign policy shop is run better than the Bush operation. And in Bush's name, former three-star Air Force general, and twice the National Security Adviser to the President, Brent Scowcroft, is in today's paper saying, "I'm afraid that's just not so."

Let me tell you what I found out. For those Americans listening who do not understand what a National Security Board is, and it only grew up in recent time, I mean the last four or five Presidents, to advise a President, and it got big under Henry Kissinger, to advise a President what was happening around the world so that he was not relying totally upon the bureaucratic establishment of the State Department, mostly all good people, but sometimes they get clientitis for a certain country, and get their own agenda. After all, we had two Israeli policies for as long as I was here in my first 15 years.

This is coming to me from a former National Security member, senior uniformed officer. Now under Clinton every single admiral and general, Marine Corps, Army, Navy, Air Force, has been stripped out of the National Security Council. No matter how many degrees they have in geopolitical science, foreign affairs, they are all stripped out. Every colonel or Navy captain is gone from the National Security Council

in the Old Executive Office Building, all stripped out. The only lieutenant colonels left are in the computer section, a technical job. They have all been replaced, and no real uniformed officers have any key policy advising roles over there.

They have been replaced by just what I predicted on this House floor in September and October 1992. They have been replaced by academics, all of the leftwing variety mostly, some of them hard left, all fuzzy academics who have never understood the military culture, who are antithetical in their belief to everything that took place under the Reagan and Bush years. All of them were against liberating Grenada. They have a different way of putting that, or of going after Noriega and of trying to turn Panama back into a democracy. All of them were ho, ho, Ho Chi Minh supporters during the Vietnam war, and that is why our foreign policy is in utter shambles.

Everything you said, Mr. LIVINGSTON, is correct on Haiti. That they would gun down their chief justice officer yesterday on the street, his wife standing next to his body crying, holding his wallet and his watch, and we wanted 200 Americans in there with only sidearms, their Berettas, no M-16 rifles.

And here's today paper, Bill Gertz's personally attacked a journalist for the Washington Times by Madam deLaski over at the Pentagon, and all of the reporters over there, most of them good liberals or moderates, very few conservatives, but they were all shaking their heads that a Pentagon spokesman person, particularly someone with no military background or foreign affairs background, like Madam deLaski, attacks directly a reporter, Bill Gertz, for getting information, which is his job as a reporter, out of two U.S. Senators about General Hoar, CINC commander in chief, Central Command, getting information that over in Somalia and all of the Middle East, that he wanted that armor, and does not want to go after Aided.

Now here is the headline, Bill Gertz' story for today, page 1 story continuation, "Joint Chief Never Debated Granting Armor Request."

"Mr. Clinton said he was told by Mr. Aspin, 'There was no consensus among the Joint Chiefs that it should be done.'" They had not even been asked. They were out of the loop.

Gen. Gordon Sullivan is a good officer. He is not saying anything. But you can tell by his statements to some of our colleagues Monday, "I do what I'm told," that he resents being out of the loop.

We have no remains from two young sergeants, Matthew K. Anderson, and a black sergeant, Eugene Williams. No burial for their families from the crash of the helicopter, the UH-60 Black Hawk on September 25, no remains. The third body came back and had to



go through DNA testing to identify it, another sergeant from the crash, Fernand Richardson.

So we got all 18 back from bloody Sunday, in the wee hours of Monday, we have all 146 from the entire gulf war. Every family had a casket, and had a ceremony. But remains were captured by the crowd and shredded in the streets back on September 25. We should have been ready for October 3.

That is why I am going to try to go to Mogadishu this week, and they said right in my face in the Pentagon that I have to fly commercial, and I resent that, being blocked from a C-5 nonstop flight to do my job.

Mr. Speaker, the small island nation of Haiti has enough problems for an entire continent. But Jean-Bertrand Aristide is not the answer to Haiti's troubles. Why we are putting our soldiers, not to mention our prestige, on the line to help restore this defrocked priest to power in Haiti is beyond me.

Let's be clear. Aristide is no friend of the United States and he is no friend of democracy, even though he was democratically elected. Lally Weymouth, a Washington Post foreign affairs writer, described Aristide as a "charismatic, extremely radical anti-American priest."

Before being overthrown, he not only abused democratic practices but condoned and encouraged violence—especially against his political opponents. The State Department's 1991 human rights report said that while under Aristide there were fewer instances of abuse by the military, "the government proved to be unwilling or unable to restrain popular justice through mob violence." The Catholic church was also a favorite target of the defrocked priest's most violent supporters.

Here is what Aristide said in encouraging his followers to engage in necklacing. He told a rally on September 27, 1991, that if they should see:

\*\*\* a faker who pretends to be one of our supporters \*\*\* just grab him. Make sure he gets what he deserves \*\*\* with the tool you have in your hands [the burning tire]. \*\*\* You have the right tool in your hands \*\*\* the right instrument. \*\*\* What a beautiful tool we have. What a nice instrument. It is nice, it is chic, it is classy, elegant and snappy. It smells good and wherever you go, you want to smell it.

Mr. Speaker, Aristide is not worth one drop of blood from one U.S. soldier. This is just another one of Clinton's feel-good missions that is going to end up getting U.S. soldiers killed.

You know, Clinton wrote in 1969 that he had come to loathe the military. And from Somalia to Haiti it looks like he still does.

CONGRESS OF THE UNITED STATES,

Washington, DC, October 8, 1993.

The President,  
The White House,  
Washington, DC.

DEAR MR. PRESIDENT: There is considerable concern within the U.S. Congress about your

administration's plans to expand the role of U.S. military forces in United Nations peace-keeping missions. Much of the concern results from your administration's failure to clearly define the criteria used to determine when U.S. troops will be committed abroad.

On October 11, 1993, 200 U.S. servicemen and women will arrive in Haiti, with 400 more to follow later in October, to participate in a U.N. mission that is designed to prepare Haiti for the scheduled October 30 return of exiled President Jean-Bertrand Aristide. Because of our concern that U.S. military involvement in Haiti could result in a situation similar to Somalia, we request that you provide us with answers to the following important questions in order to clarify the reasons for your decision to commit U.S. troops to Haiti:

1. What are the vital national security interests that require the placement of United States forces in Haiti under the auspices of the United Nations?

2. What is the mission of the United States forces involved in the United Nations mission in Haiti and the estimated duration of that mission?

3. What is the exact size and composition of the United States forces involved in the United Nations mission in Haiti?

4. What is the estimated cost of this United Nations mission to the United States?

5. What is the precise command and control relationship between the United States forces and the United Nations?

6. What is the precise command and control relationship between the United States forces involved and the commander of the U.S. military command here in the United States?

7. To what extent will United States forces deployed to Haiti rely on non-U.S. forces for security and self-defense, and what is the ability of those non-U.S. forces to provide adequate security to the U.S. forces involved?

8. What are the "rule of engagement" for United States forces in Haiti?

9. What are the conditions under which the United States forces can be withdrawn from Haiti?

We know that you appreciate and understand our concerns about deploying U.S. forces abroad as part of a United Nations operation. We hope that you will provide us with a prompt reply to these important questions.

Thank you for your cooperation and for your attention to this matter.

Sincerely,

Robert K. Dornan, John T. Doolittle, Richard Pombo, Nick Smith, Paul Gillmor, Dana Rohrabacher, Tim Hutchinson, Rod Grams, Bill Archer, Jack Kingston, Richard Baker, Roscoe Bartlett.

Dan Burton, Jan Meyers, Bob Livingston, Gerald Solomon, Sam Johnson, Jim Ramstad, Chris Cox, Jim Bunning, Carlos Moorhead, Toby Roth, Tom Ewing, Randy "Duke" Cunningham.

Duncan Hunter, Ed Royce, Cass Ballenger, Elton Gallegly, Jon Kyl, Jim Saxton, Howard "Buck" McKeon, Dick Armey, Bill Goodling.

James Sensenbrenner, Wally Herger, John Duncan, Bob Inglis, Henry Hyde, Tom DeLay, Bill Baker, Spencer Bachus, C.W. Bill Young.

[From the Washington Times, Oct. 15, 1993]

JOINT CHIEFS NEVER DEBATED GRANTING  
ARMOR REQUEST  
(By Bill Gertz)

The Joint Chiefs of Staff, according to defense officials, were not divided on the issue

of sending armor to Somalia last month, as the president said he was told last week by Defense Secretary Les Aspin.

"The issue was never vetted by the chiefs," said a military official close to the chiefs.

President Clinton said Friday he asked the defense secretary to explain why tanks and armored vehicles were not sent to Somalia as requested by the U.S. commander in the East African nation and by two other generals.

Mr. Clinton said he was told by Mr. Aspin "there was no consensus among the Joint Chiefs that it should be done."

"And he normally relied on their reaching a consensus recommendation on an issue like that," Mr. Clinton told reporters on the South Lawn.

But military officials said the issue was never discussed by the Joint Chiefs as a group.

One military source familiar with the armor request said, "There was general agreement [among top military leaders] that something the commander requested should be granted."

Gen. Colin Powell, former chairman of the Joint Chiefs, on at least two occasions asked Mr. Aspin to send the armor.

Pentagon officials said the commander of U.S. forces in Somalia, Maj. Gen. Thomas N. Montgomery, on Sept. 8 sent a request for four tanks, 14 armored vehicles and several artillery pieces to Marine Gen. Joseph Hoar, commander of the U.S. Central Command, based in Florida.

Gen. Hoar deleted the artillery and forwarded the request to Gen. Powell, who went to Mr. Aspin with the plea.

Mr. Aspin said the request reached him Sept. 23 and he deferred sending the armor because he did not want it to appear that U.S. forces were escalating military operations. He said in retrospect he would have granted the request based on the heavy casualties taken in fighting in Mogadishu Oct. 3 with militia loyal to warlord Mohamed Farrah Aidid.

A total of 18 soldiers were killed, 77 wounded and three helicopters were shot down in the fighting. A rescue operation was delayed several hours because U.S. forces had to call on Pakistani and Malaysian armored forces for help.

"Gen. Powell did say this is what Gen. Montgomery wants," a Defense official said yesterday of the armor request in early September. "But the whole tenor of everyone was 'gosh, we know this is a tough one.'"

Meanwhile, Pentagon spokeswoman Kathleen deLaski declined to comment yesterday on reports that Gen. Hoar had opposed expanding the mission of U.S. forces to capture Gen. Aidid, but then was not given armored equipment he needed when ordered to do the job.

Ms. deLaski said disclosures of Gen. Hoar's comments at a closed Senate briefing were an attempt to "politicize" the issue.

"We have a very good working relationship with Gen. Hoar," she told reporters at a briefing. "He's been in a couple of times this week to see Mr. Aspin."

A Defense official, who requested anonymity, said later that Gen. Hoar and other Pentagon officials, including Mr. Aspin, opposed engaging in a hunt for Gen. Aidid using military forces when the United Nations ordered his arrest after the death of 24 Pakistani soldiers June 5.

Senior Clinton policymakers resisted efforts by the United Nations to expand military operations in pursuit of Gen. Aidid for two months before sending 400 Army Rangers on Aug. 25, the official said.

But after several Americans were killed when their vehicle was blown up by a remotely controlled mine, "the military leadership said the time has come to try this option"—sending the Rangers, the official said.

[From the Washington Times, Oct. 15, 1993]

**BUSH AIDES REBUT CLINTON BRAGGING ON FOREIGN POLICY**

(By Paul Bedard)

Bush administration officials yesterday rejected President Clinton's assertion that his foreign-policy operation is superior, charging that the White House foreign-policy shop is reactive, ineffective and confused.

Top national security aides to former President Bush suggested that the Clinton national security team is not abreast of world developments, such as the civil war in Somalia, and has fallen victim to changing policy every time the United States gets into a pickle, such as the challenge by Somali warlord Mohamed Farrah Aidid.

"It's not clear to me how they make decisions," said Brent Scowcroft, national security adviser to President Bush.

"The process has not delivered a consistent line on varying issues of foreign policy," he said in an interview.

Walter Kansteiner, Mr. Bush's Africa expert on the National Security Council, called Mr. Clinton's foreign policy "episodic" and on "autopilot."

"It's just unfortunate that they paint themselves into that corner and let it slip away that far before they address it. They could head off a lot of these foreign policy problems if they were on top of them," he said.

Their criticisms came just hours after Mr. Clinton told reporters at the White House that his foreign policy was as good if not better than that of former Republican Presidents Reagan and Bush.

"I've had people who were involved in the two previous administrations say that our national security decision-making process was at least as good as the two in the previous ones, perhaps better," said Mr. Clinton.

His statement was at odds with President Bush's view. Speaking at a San Antonio grade school this week, President Bush expressed concern that the Clinton administration took on a police job in Somalia without a mission plan.

"I just hope that we don't get that mission messed up now," said President Bush, whose administration rejected U.N. pressure to use U.S. troops to police the truce in Somalia.

Mr. Clinton said, "It's easy to second-guess."

At a morning news conference in the White House briefing room, Mr. Clinton said, "The truth is we're living in a new and different world, and we've got to try to chart a course that is the right course . . . while avoiding things that we cannot do or things that impose costs in human and financial terms.

"We have a good record," he said, adding that people who complain about his foreign-policy operation "because of what happened in Somalia last week have a pretty weak leg to stand on."

Mr. Clinton pointed to U.S. support of Russian President Boris Yeltsin and the signing of the Middle East peace deal as his foreign-policy successes.

But critics said Mr. Clinton's policy development is reactive and they point to the situation last week when Mr. Clinton said he needed a few days to draw up a policy for Somalia after the Oct. 3 shootout in Mogadishu between Gen. Aidid's forces and U.S. troops.

The failed raid on an Aidid compound claimed the lives of 18 U.S. troops.

Army Chief Warrant Officer Michael Durant, who was captured in the clash, was released yesterday, prompting Mr. Clinton's news conference.

Experts, saying Mr. Clinton's foreign policy appears to sway when challenged, pointed to:

Gen. Aidid's capture of Warrant Officer Durant ended the U.S. hunt for the warlord.

Congress' challenge to send troops to Bosnia to aid in peacekeeping missions iced those plans.

And an angry Haitian gang's protest in a port city this week prompted recall of a troop ship.

Mr. Kansteiner said the Clinton White House also confused the policy in Somalia by endorsing three different policy tracks—one run by the United Nations that still calls for the capture of Gen. Aidid, a second run by the United States that would let Gen. Aidid join peace talks and a third set by neighboring African nations that could even result in Gen. Aidid becoming president of Somalia.

"They are crossing each other and at times contradicting each other," Mr. Kansteiner said of parallel policies.

"They've been back and forth," Mr. Scowcroft said, and that may be the product of a decision to "put foreign policy on the backburner."

Mr. Clinton's inability to settle on specific plans for Somalia, Haiti and Bosnia, meanwhile, "raises issues about whether the United States has thought through its role in the post-Cold War world," said Helmut Sonnenfeldt, a foreign-policy expert at the Brookings Institution.

To prevent future foreign-policy embarrassments, the White House is reviewing its policy-making process said a senior administration official.

**AMERICAN FOREIGN POLICY**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. ROTH] is recognized for 5 minutes.

Mr. ROTH. Mr. Speaker, I have to agree with the gentleman from California [Mr. DORNAN]. What happened to our troops in Somalia was a disgrace.

But I want to point out what I think is a solution not only for Somalia or for Haiti, or for Bosnia. I think we have to have a plan. The gentleman mentioned before in his opening statement that the pundits are asking what kind of grade is Clinton getting in foreign affairs, or what kind of a grade is Bush getting and so on. I do not want to focus on that, although I will say this: Clinton is not even in the same league with Bush when it comes to foreign affairs. Everybody would have to agree with that. But I am not interested in the politics of it.

What I am concerned about here is that we are not guided today in foreign policy by any principle or any philosophy. It is all expediency. The problem with that is in a country like this you can only move ahead if you have the blessing of the people on the issues and the initiatives being taken by our leaders. Our Government can only function if it has the trust and confidence of the

people. And you cannot get trust and confidence of the people if you are guided by expediency.

So I would say that for us we have to have certain principals where we are guided by a certain formula. And if foreign issues arise, and they fit into this formula, I think then we should be guided by that formula so we have a road map, so we have a procedure that we can follow. And I would say in considering our involvements overseas, whether we use U.S. troops, I think we have to ask ourselves consistently four questions.

Basically they are these: How is our national security, the national security of the United States threatened? That would be the first question. Second, we have to ask is there a clearly defined mission for our forces, so when we put our forces into Somalia, or as the gentleman here had mentioned, into Haiti, so that we have a mission for our troops, and so we know whether we have met our mission. Third, do our troops have a reasonable chance of success? There are some places in this world, no matter how much power we are going to apply, or how much treasures we are going to pour into that region, we are never going to be successful, because there is no chance of success. We do not have enough leverage in some parts of the world, and that is why we have to focus on this third question.

□ 1330

Is there a reasonable chance of success? Fourth, how are we going to get our troops out?

You know, the thing that has always amazed me is that American troops have been deployed to all parts of the world and we have never asked the question: How are we going to get them out? To me this is a blind foreign policy. We cannot go in that direction. We have got to have a criterion, a plan; we do not today. That is why we are facing all of these little disasters all over the world.

I think that these four questions are relevant. In fact the Secretary of State, himself, has enunciated four questions pretty much like this and we have to have a criterion for us when we are involved so that we can go to the American people or at least the President should be able to go to the American people and say that we are going into Somalia "but here is how I answer these four questions. Here is why we are going in. Here are the chances for our success. Here is our mission and here is how we are going to get our troops out." I think if the President, the Commander in Chief cannot explain that to the American people and to this Congress, then we should not be going into these areas because we are only going to take our Nation down the road to pain, terrific pain.

Mr. Speaker, I yield to the gentleman from California.



Mr. DORNAN. I thank the gentleman for yielding.

The gentleman and I joined the Committee on Foreign Affairs together years ago, back in 1980. The gentleman has been with him all these years but I switched over to the Committee on Armed Services.

Has the gentleman from Wisconsin [Mr. ROTH] been studying this Aristide? Did he come across the statement where Aristide praises necklacing, this former Catholic priest?

Mr. ROTH. I did not run across that statement, but there are a lot of things that I do not have a chance to read because we have been inundated by all this information.

But I will say this that I am concerned. We always say we are for democracy and we are, but if we have a democratically elected leader and it takes the U.S. forces to install him into power, there is something wrong with that. To me democracy means the people are on your side and the people elect you.

I have a question: Is this Aristide really loved by his people? What kind of democracy do they have?

Mr. DORNAN. He is an admirer of Castro, he is a Socialist.

Listen to this statement of the President in the White House press office yesterday:

The truth is we are living in a new and different world and we've got to try to chart a course that is the right course while avoiding things that we cannot do or things that impose costs in human and financial terms. We have a good record because those people who are complaining because of what happened in Somalia last week have a pretty weak leg to stand on.

Is that what he is going to say to the 19 sets of parents and wives and children of those who lost their loved ones a week ago?

Mr. ROTH. Mr. Speaker, I just want to wrap this up by saying that to me these troops have names and faces and families. They are not just numbers. Even though they have all volunteered for the military service, their lives must never be squandered because some bureaucrat or politician in Washington wants to play the same old game of sticking America's nose into everybody else's business, regardless of whether it is important or not. And here in the Congress all I hear about troops is just facts, figures, numbers. No, these are human beings with names, faces, and families. And we cannot forget that.

### JOBS, JOBS, JOBS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. KANJORSKI] is recognized for 60 minutes.

Mr. KANJORSKI. Mr. Speaker, I rise today to address what I consider to be one of the major domestic problems of

the United States. As we hear all of the problems of the United States it would be wonderful if all of us could just concentrate on single-issue areas and solve those problems, but as my friends have just expressed, we are a dynamic Nation in dynamic times and we have to focus on many things.

What I would like to have the Congress focus on today is the problem that I hear most about from my constituents. It is a problem related to programs like NAFTA. Whether it is downsizing the defense industry; most Americans are asking the big question: Where are the jobs? When are we going to create the jobs? Are they going to be sufficiently good-paying jobs so that the American middle class can continue to prosper and exist?

What I am speaking of today is an initiative that I have undertaken with several of my colleagues in the House, the leadership and members of the administration to address ourselves to that major issue. What can America, what can the administration and what can we in the Congress do to create jobs for the American people who are in fear of the result that may occur if we adopt policies like NAFTA? I think that the only solution is that this administration and this Congress must focus and direct itself now, today, at creating the types of jobs Americans need across this land.

There are many Members of this House who would reconsider their position, their vote on NAFTA as it might come up, if they could go back to their constituents and indeed to all the American people and say, "We have taken positive, active interest in creating jobs to meet the needs of American workers and American industries and American prosperity in the future."

My initiative encompasses many contributions from many Members of this House over the last decade.

It would be remiss on my part not to recognize in particular the outstanding contributions made by the chairman of the Committee on Science, Space, and Technology, in this area, the gentleman from California [Mr. BROWN]. Over the years he has helped coalesce the technologies of the United States so that they can be better understood. The subcommittee chairman of that committee, the gentleman from North Carolina [Mr. VALENTINE], has also spent a great deal of effort in creating a bill, H.R. 820, which has now passed the House and is pending in the other body, which hopes to open up some of these new technologies to improve the competitiveness of the United States.

What my initiative does is build on what they have now contributed. It develops a comprehensive program so that we can meet the needs of American workers and we can use the one tool that we have left out in the American structure of our economy thus far,

and that is utilizing the marketing and commercialization know-how of the private-enterprise system in America.

Mr. Speaker, since 1964 the United States of America has developed and researched more than 1.5 million new technologies. We have pending in progress right now the development of 140,000 new technologies and research and development programs.

Yet if a private businessman in America wants to find out where they are, how he can find out about them, what he can do, he has to come to a beltway consultant, a big-time expensive lawyer, and spend years of effort, time, and money to search out where the technologies are, what they do, how relevant they are to commercialization and then hope he can enter into an agreement with the U.S. Government or any of its departments, agencies, bureaus, national laboratories, or universities and then try to finance getting into business.

By that time he has spent years and millions of dollars and has created great frustration for himself and for the system.

The initiative I wish to suggest to the Congress has a multifaceted set of legs to it. Basically they are four.

What we have to do in the United States is be intelligent enough to organize a data base that encompasses all the technologies, patents, licenses, processes that the U.S. Government has spent \$2 trillion on developing in the last 30 years, into one central data base where it is easily and user friendly, accessible to American business and entrepreneurs, particularly small- and medium-sized businessmen. Where businessmen can either enlarge their operation or start new businesses with modern emerging technologies to create greater wealth, and most of all, better and higher-paying jobs.

I have spoken with, and met with, the Department of Commerce over the last several months and they have indicated to me that they have the capacity to accomplish this goal of a centralized technology data base in about 1 year. So we can have a data base available where any one single individual, businessman, entrepreneur, or industry can find out everything that exists in the inventory of the United States in new technologies that might be helpful to him. This goal will be accomplished.

The next leg of what I propose is something we have never done before, and that is look to the private sector to learn how they market products in America. The private sector does not market products by hiding them, it does not market things by scattering them around to hundreds of agencies, 58 national laboratories, 1,600 colleges and universities, where it would take a lifetime to ferret out what is there.

Instead American business uses the modern methods of marketing and

technology. One of the major legs of the technology development that we are talking about in this initiative is to create what I call the American technology network. It would be an organized and specialized network like Discovery, or CNN, or any of the commercial networks that are presently on the air. It would concentrate on developing sane, simple, and entertaining ways of presenting new ideas and new technologies ready for commercialization to the entire American population at their will.

□ 1340

For 24 hours a day, 7 days a week, 365 days a year, we could literally identify from the Federal inventory of patents, licenses and processes, and technology, the most likely 6,000 that could be immediately commercialized. We could put them in understandable, entertaining form in 1-minute, 3-minute, 5-minute intervals, that could be presented to the entire listening audience of the United States, not unlike C-SPAN which the House of Representatives takes part in its debate, where 7, 8, 10 million people at their will, at their election, could see what the American inventory is offering to the American people, the taxpayer money that has already been paid for this research and development and hopefully how they could access it easily and develop it into new businesses that would create the jobs we need in America.

We estimate that by creating The American Technology Network, we can in fact create enough new jobs to employ half a million people a year for the next 5 years. At that rate, including indirect jobs, we could actually create a million jobs a year in new technologies, new patents, things that are not even being worked on, but have been developed and have been paid for by American taxpayer money that are laying around the vaults of all the Departments, Agencies, and Bureaus of the Federal Government, the 58 national laboratories that are constantly the brain power of research and development of the American Government, and in hundreds of colleges and universities, ideas whose time has come and in some instances has passed, but should be developed and commercialized that presently are not being commercialized.

Together with the American Technology Network, a corporation known as the Technology Transfer Corporation could be created and authorized and contracted with the Department of Commerce to be the exclusive and sole agent of the U.S. Government in dispersing the contract arrangements that are necessary with entrepreneurs and businessmen across America who want to license this technology and start into business, creating a one-stop shopping operation. If you say a technology that interested you and you

were in business or wanted to go in business, you could call a contracting officer in the Technology Transfer Corporation and that individual's job would be to enter into an agreement or try to find out whether you are capable of promoting that technology and using it, contract for it and get you started on the way and give you any technical assistance that the Government can offer to help you develop that business or that technology.

What would that encompass? It would be using the market system.

And would these be bureaucrats? No, they would not be bureaucrats. The Technology Transfer Corporation should be a private corporation.

Should the Government own part of it? Yes. That is the methodology by which we would get paid back if these technologies are successful in the marketplace, by taking as equity interest.

But first and foremost, the intention of this initiative is to make this technology available to the American people easily and readily so they can pull it up; first be excited by what they saw on the American Technology Network, then interfaced by their personal computers into the comprehensive data bank, receive any amount of information they need on what that technology calls for, make the depthful analysis that is necessary before they start their business, and then have one contracting officer who represents and is the agent for the U.S. Government to sell or negotiate the licensing of that technology to them.

Rather than spending half a million or a million dollars, success could be accomplished with little or very little money on the part of an entrepreneur or small businessman. They could then in a relatively short period of time of months rather than years acquire the rights to proceed with the development of that technology in a small business and they would be on their way.

The fourth leg of this proposal is a vehicle to help provide the venture capital money necessary by small businessmen and entrepreneurs to get their new businesses started.

It is a sin in this country that we are willing to create the Hungarian Fund for \$400 million, the Russian Fund for \$700 million with American taxpayers' money, with the intention of developing the economies of these foreign countries who have their needs, and yet we forget that American business, American entrepreneurs, American dislocated workers also have a need and have a right to capital access here in the United States to develop American products of research and development.

Right now the largest user of American technology and development and research happens to be the Japanese industrial market. Why? Because they have the specialists who live right here in Washington that search out the patents and the technologies and the proc-

esses that the U.S. Government develops at taxpayer expense, and they go through the process of licensing them or contracting for those processes from the U.S. Government and they take them back to their home country and develop them into worthwhile technologies and businesses that not only encourage and make money and wealth in the country of Japan, but are used to transport around the world, and indeed sell many of their products right here in the United States that were developed by Federal moneys right here in the United States.

What the financing vehicle would be is very simple. For a price of less than \$3 billion a year we could underwrite a venture capital fund working in conjunction with the Technology Transfer Corporation that could make available a million dollars of venture capital to virtually any entrepreneur or small businessman in the United States who wants to get involved, expand his business or start a new business.

If we did that, that \$3 billion could be leveraged to create a fund of \$12 billion per year, because our experience with the Economic Development Administration was that for 25 percent of the risk covered, the Economic Development Administration could lend out four times the amount of money and not lose any money for the U.S. Government.

That means for the infusion of \$3 billion of American capital, governmental taxpayers' money into the fund that would allow this expansion, we could create a pool of venture capital of \$12 billion a year, and if you loaned out a million dollars to a venture capital organization or an innovator or small businessman or an entrepreneur, you could create 12,000 \$1 million small businesses every year.

The mathematics in business says that for a venture capitalist who uses \$1 million, he can create easily 20 high-paying jobs. I am not talking about \$5, \$6, or \$7 an hour jobs. I am talking about \$15, \$20, \$25 an hour jobs, good jobs.

If we created 12,000 new businesses a year with 20 jobs each, that is 480,000 new jobs in America. That is the direct jobs by the investment that would be made. The indirect creation of jobs would be at least a one-to-one ratio, another 480,000 jobs, for a grand total of 960,000 new jobs a year with new technology, creating new wealth and solving problems in new ways for America, making the country and the economy more wealthy, making the country respond and get back its capital that it has invested in research and development; but most of all, Mr. Speaker, creating those jobs that the average American asks about.

Everywhere I go in my district in the State of Pennsylvania or the United States, when we talk about NAFTA, when we talk about retraining programs, when we talk about downsizing



the military and the defense industry and the job losses those activities will create or the need for retraining, the question is, where are the jobs we are going to retrain these people for? It is fun to retrain people, but to retrain them and not have a job for them is not a very successful thing for the government to do. Many people who go through retraining are frustrated to find out that they have been retrained for a job that does not exist.

What I suggest is that if we focus and mobilize our effort and create first of all a data bank of all the technologies that exist in the American inventory, the American Government inventory, make it accessible, make it public knowledge by marketing using the tool we Americans know best, American television, if anybody and everybody in America has an equal opportunity to find out what is available and what is for sale in the American inventory, and then we have a technology transfer corporation where an individual does not have to hire a Philadelphia lawyer and a Washington consultant to find out how to negotiate for it, but can talk to a single contract officer with the authority to act and simple user-friendly contracts and forms to develop a new business.

Then finally, Mr. Speaker, that corporation would be largely owned by the U.S. Government so that its success would return money back to the U.S. Government, so we could increase and continue the program indefinitely.

□ 1350

After 5 years, Mr. Speaker, it would become a self-financing tool to help create new American research and development firms. It would reach out to the American workplace and out to the entrepreneurial spirits in America to create new jobs. Finally, we would have tools that could make all of us part of the package with American capitalism, with democratic capitalism. The American Government could have an equity interest in some of those businesses that would return a great deal.

But, forgetting all that and the potential profit to the government from that endeavor, the estimates and studies that we have run on this concept, if we are successful, would generate over 10 years \$140 billion in new taxes to the Treasury of the United States. And for what cost? Just focusing, paying attention and doing what government does well: Fund research and development, encourage growth and exploration in the new ideas and fields, but then also, recognizing that the magic of America is in the private market, the private marketing concepts, and take the best tools of the private free enterprise system in America, and put them to work with government to accomplish this end.

Mr. ROTH. Mr. Speaker, will the gentleman yield?

Mr. KANJORSKI. I certainly will.

Mr. ROTH. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. KANJORSKI] for yielding, and I want to compliment him on his statement. He is one of those Members who is far-sighted and prescient in this area, and we appreciate that because I think the thinking anew and acting anew, as I see his legislation, I think that is the step that we have to take.

I was impressed. The gentleman mentioned several times the word "focus," and I think that is important because we are too defocused many times here in the Congress.

When Greenspan: the gentleman is one of the Members here in the Congress who understands the Federal Reserve, and the economy and so on, when Greenspan was, Alan Greenspan, head of the Federal Reserve, was before our Committee on Banking, Finance and Urban Affairs, he mentioned that if we want jobs, then we have to focus, and he used the gentleman's word "focus" on entrepreneurs and risk takers, not to impede them.

Now the question I have for the gentleman is this, and it is a friendly question because I agree with him:

The Japanese are over here picking up all of our technology. We are spending money to produce it, and they are using it. Here in Washington 80 percent of all of our gross national product increase last year was due to trade, and, yes, we have got, for example, seven agencies that are dealing with trade. I mean it is so defocused. There is nowhere to go. Go to Commerce, go to Defense, go to Treasury—I mean seven different agencies; they are falling over each other's luggage at the Tokyo International Airport, and I think that we have got to get our policy more focused.

I think that we are having too much government and too many regulations, and I would ask the gentleman how his legislation would address that problem, unless he does not see that as a problem.

Mr. KANJORSKI. No, I see it as a great problem, and it is exactly the problem that we are trying to address. What exists right now in the technology transfer field in the United States is we have encouraged and made a mandate in Congress; as a matter of fact, in law, saying that you not only have to research, and develop and create these new technologies, but you must find a way to market them to the free market system so that it can take them on, and indeed some of the national laboratories have started to do this, some of the universities have started as well. The only problem is that every one of the 58 national laboratories have their own marketing program. Every one of the 1,600 colleges and universities that do research are called upon to develop their own marketing program. Every agency, bu-

reau and department of the United States has its own marketing program.

The fact of the matter is, Mr. Speaker, the tool that I am suggesting will probably end up saving and costing less money to accomplish a more successful end result because we bring together all of that material that is out there, scattered in these many entities, and bring it into one data base, and, once it is in that data base, we have a marketing technique. It is the best of private sector marketing and we have one corporation to handle the licensing process to move it through quickly, and one effective financing vehicle to get the job done.

If I may answer to the gentleman from Wisconsin, we were just talking on the floor the other day about this issue with members of the Committee on Education and Labor. There are 124 retraining programs in the U.S. Government. It is a massive array. I ask:

Why can't we start looking to the billions of dollars that we spend in this area, and, rather than requiring the average small or medium sized businessman to hire a consultant to find out how you get into the safe, they can't even find out how to get access to our retraining programs and, rather than doing that, why don't we simplify the process? Why don't we try to centralize it?

Now we cannot centralize everything down to one single entity, but we can certainly start on the process, knowing what we have to do, of creating one uniform base of information and then authorizing marketing techniques that are derived from the experience of the private sector, the way we reach people, and then central negotiating to be handled by one person rather than having the fractured elements of many, many agencies and bureaus having to deal and sign off or enter agency agreements, as we have now, causing terrible problems.

Mr. ROTH. Mr. Speaker, will the gentleman yield further?

Mr. KANJORSKI. I yield to the gentleman from Wisconsin.

Mr. ROTH. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding, and I do not want to be in any way confrontational here because I agree with what the gentleman is trying to do. I would just like to repeat or would like to mention an experience that I had a few short years ago.

I am very much concerned about trade, like the gentleman is, for example, because, as the gentleman knows, we are living in a dynamic world economy, and we have got to be competitive in the area of trade. But from my experience here in the Congress, as the gentleman knows we have so many different departments: We have got the USTR, we got Commerce, we got Treasury—as the gentleman knows, all down the line, and what I and some of the other Congressmen and Senators want to do is to have one department on trade. You know, like you had mentioned, they get some focus so we can

add more focus to it, but we could never get our departments together.

We went as far as the White House, and the President agreed with us, and then on a Friday morning, when the news conference was supposed to be held, why there was such a ruckus within the Departments themselves that even the President backed off, and my concern is, when we get the government involved, we get all these different entities involved, and we never get anything accomplished. This causes a lot of costs, a lot of money, causes a lot of friction and confrontation, and the job never gets done, and the Japanese and other countries are running off with the jobs and the technology, and my question basically with the initiative the gentleman is taking is:

What can we do to get some focus, to use the gentleman's word, some focus to what we are trying to do here in government, like have one department of trade, have one agency that works, for example, with small business and so on? As it is set up now, my good friend from Pennsylvania, I do not know who to go to in government. I go to 50, as the gentleman knows, different agencies. You keep on getting the run-around because there is nobody you can focus on.

Mr. KANJORSKI. As my good friend, Mr. Pogo, used to say, "I have met the enemy, and he is us." We, too, have this problem of jurisdiction within the Congress itself. Recently one of the leading members of this body who sat with me recently, said in order to come up with an idea and sell it sometimes it takes decades. That is unfortunate because we have to filter through all these jurisdictional areas and find out who we rob and whose jurisdictional we are into. What we have got to stop doing is thinking of how government operates and start approaching this problem how the man on the street, and the average American, the average entrepreneur and the average businessman need us to operate. We cannot do things totally and simplistically as we would like because we are protecting taxpayers' money, and we all have our fiduciary relationships that we are bound to keep, but there is no excuse at this time when we have every American asking if we are going to pass NAFTA, if it should pass, will that have an effect on the number of jobs, in the United States. Some people think it will. Some people think it will not. I do not know.

Quite frankly, Mr. Speaker, on NAFTA I would like to say that in the long term that policy may be the policy that is right for the United States 30 years from now. Our problem is the impact, in the short term, if there is a loss of jobs, particularly on the lower economic level and scale in this country. What are we going to do to assure those people that they will not be forgotten, and not forced into unemployment

and a state of welfare for the rest of their lives? What are we going to do for the people who are talking about welfare reform? Bring these people off welfare to do what? We do not have the jobs for them. Why are we talking about the retraining programs taking unemployed people and retraining them for what if we do not have the jobs?

The important thing, it seems to me, is the Government has to do something, and what I suggest, and this answers the gentleman from Wisconsin's question, is we do what Government does well:

We have the capacity to put this information in a uniform integrated data base. We have funded these technologies and their development over the last 30 years. Now we are going to turn to the private sector and say that government will only be involved to get that information to you. It will be the contract agent to handle the marketing, the commercialization and distribution by contract, to these new entrepreneurs and businesspeople and encourage them to go on and do one thing further that a government bureaucrat would not do if we created this as a government program. It is to the interest of that corporation, since it is a private profit-driven entity, to see that these businesses are successful. If there are important ingredients that can be given to those people running the businesses, it is going to be in the interest of that corporation to do the right thing and give them the technical assistance they really need rather than government technology assistance which in many instances does not comport with the needs of the business community.

□ 1400

Mr. ROTH. I thank the gentleman again for indulging me and for yielding further.

The gentleman had mentioned, for example, that sometimes it takes decades for the government to get the right job done. You know the way I look at it is that in the world today we have this tremendous rapidity of change. Maybe government is no longer the answer. Maybe we have to ask completely different questions. Maybe what we need is less regulation, less government, smaller government. Maybe the only thing that government should do is protect our shores, deliver the mail, and stay the heck out of people's lives, and just let business and the people themselves find the solution to jobs. After all, the government really cannot create jobs.

I was interested yesterday, or the day before, in the Wall Street Journal they talked about health care. The gentleman mentioned health care. They had a huge maze, a diagram, of how the health care system is going to work. It is just unbelievable, the complexity and so on.

I think in the modern world we cannot have this type of complexity. Could it be that maybe the answer does not lie with the government and we should be scolding down government? Maybe we should be asking completely new questions in the era we are moving into. Maybe we are still asking questions of the old industrial age government, when we should be asking completely different questions, because the world has changed so much.

Mr. KANJORSKI. It is interesting, the gentleman from Wisconsin [Mr. ROTH] is a Republican, me being a Democrat, that you should ask me that question. I will answer.

I happen to agree that government has its role because ultimately it is the final protector of what people need protection from, whether it is environmental protection, labor protection, abuses, poisons, things like that. We have a role there.

The problem that has been made in government, whether it has been during the last 12 years of the three Republican administrations or it will be made in this administration, is that we have to approach it from a new angle.

Actually, I would recommend that you and I compliment the President in coming up with a new panel to reform and reinvent government. I think that is the right attitude to take. I do not think we can suggest to the American people we are going to have less government. But I think we can suggest to the American people that rather than dealing with the bureaucracy as it presently exists, we can peel it down and we can look at problem solving. Our first question is what is the problem, and is there a solution, and not always think that government is the final arbiter of what that solution should be. On the other hand, we should make sure that we do not so deregulate and take out of control anything so that the private sector can abuse the system. Because today, regardless of how we like to think of it, there really is not a totally free enterprise system. It is a moderately free enterprise system. We have monopolies that exist by virtue of their size or the domination of their field or by virtue of the fact that they control the technology of the area they are in. If these people were to go unchecked, they could wreak great havoc on the marketplace and on the rights of all American citizens, if the government did not stand in a position to protect them.

Mr. ROTH. If the gentleman will yield further, I thank the gentleman for yielding. I do not think the reinvention of government is the answer. I do not think that that is what the people are looking for. I think that the people are looking for less government.

Take a look at what is going on all over the world, whether it is in Japan, whether it is in Europe. Every country in the world seems to be downsizing, downscaling their government.



Mr. KANJORSKI. We are, too, Mr. ROTH.

Mr. ROTH. We are not downscaling government.

Mr. KANJORSKI. Under the proposals that the Vice President put forth, over the next 5 years we will cut down the employment of employees in the U.S. Government by a quarter of a million, 250,000 jobs. We are going toward deregulation of large areas. We are making government more user friendly.

Let me give you an example. Most recently the Comptroller of the Currency, Mr. Ludwig, in approaching the financial institution business in providing for how they comply with the new truth-in-savings disclosure law for bank savings accounts, rather than having each bank go through three inches of regulations that were propounded to accomplish that end, what he did is he had it reduced to a computer program and provided that computer program at cost to every bank which wanted it. So if they followed the program he provided them, they would be in compliance with the regulations, and they would not have to hire the lawyers and other people to study the compliance requirements.

Mr. ROTH. Well, if the gentleman will permit me to say, you and I have been around this race track a couple of times, and you are not going to see in reinventing government less people on the Federal payroll. I think you are going to see more people.

I mean this in a friendly way. I think you are going to see more people. The people in government today feel government is the answer. I feel government is not the answer. I think that is really the big debate. You never get to the basic argument.

Mr. KANJORSKI. I think you brought out a good point. I want to respond to it, because I hear so many people on your side of the aisle make that proposal. When the Founding Fathers structured the American Constitution, the American Government, there were only 3.5 million people in the United States in 13 Colonies. Today we have 50 States and 250 million people. Every year the population of the United States grows.

If the employees of the U.S. Government were not to grow in number, in fact you would have a lessening of government every year, because the population grows at a rate of 4 or 5 percent a year.

I think this idea to always say the government is bigger this year than it was last year is really a misstatement of reality, because this year the population of the United States is larger than it was last year, and every year in history it has been so. So, invariably, the number of people involved will grow to some extent.

I am not talking about numbers. I am not as worried about how many

people we have doing things. What I am most worried about now is whether or not we have lost our vision as to applying the techniques that have already proved very successful in the American enterprise system.

It was proper that America make a major investment in research and development over the past 40 years. American Government, however, as currently structured is not the right tool to market that, contract for that, or give the assistance necessary to the private sector to use that research and development to create new jobs.

What I am saying is what our problem is, is we have trillions of dollars worth of new technology that is out there that is not being used. The answer to that problem will not come from government, because government does not understand how to market, does not have the incentive to market, does not have the success or failure attached to what you market successfully.

So we should turn to other agencies or an entity such as the free market system that have already had experience with and see how well it can function, and say, "Look, we in the government have made the investment in research and development. We now have these patents and licenses and processes. Let us turn them over to the free market system to put them out to the rest of the free market system, to develop and commercialize it."

Mr. ROTH. If the gentleman will yield further, I appreciate the gentleman allowing me to participate in his time here in this debate. That is very generous of him. I want him to know I appreciate that. I know the gentleman feels very deeply about this, as I do, because we have served on the same committees in the past.

The reason I say our government is too big is because when you take food, shelter, and clothing, as published by one of the think tanks here in D.C. the other day, 40 percent of an average person's income goes to food, shelter, and clothing.

What is really surprising is that Federal, State, and local governments take 40 percent of his money in taxes. So the average person in America today is paying as much in taxes as they are in food, shelter, and clothing.

Mr. KANJORSKI. That figure is incorrect, if I may respond.

Mr. ROTH. It is correct. Let me just conclude by saying why is the government getting too big? We have a Department of Agriculture. We have some 2,000 agencies here on the Federal level. We have the Department of Agriculture, one I like very much, incidentally, because I have the third largest dairy district in the Nation.

But in 1900, we had some 3,000 people working in the Department of Agriculture, and we had millions of farmers. Today we have millions fewer

farmers, but do you know how many people we have working in the Department of Agriculture today? One hundred twenty-nine thousand. In 7 years, if we keep going in this direction, we will have more people working in the Department of Agriculture than we have single family farmers in America. That is why I say our government has gotten too big, way too big.

Mr. KANJORSKI. Let me take that as an example. If you listen to those raw figures and make that comparison, you could easily arrive at that conclusion. One, I would like to say when you say 40 percent of the average American's earning capacity goes to government, that is not correct. It is around 29 percent.

But, more importantly than that, we are next to last among the major industrial nations as to the amount of taxation the average worker pay toward the contribution of government at the Federal, State, and local area.

Now, let me address myself to your agriculture question, because I think it is very significant.

In 1850 in this country, unlike any other country in the world, including the Soviet Union just before its demise, it took one farmer to feed about 10 to 12 people. In the United States we took that ratio and needed a great number of farmers.

But we took the agriculture extension course. We took inventiveness and new technology. And through our land bank colleges out there, the agriculture colleges of America, we dispersed this information to the American farmer, to the point now where the American farmer feeds more than 100 citizens. Ten times as much productivity than the average farmer of the world.

□ 1410

It is because American Government, using the private sector to disperse research and development information and new technologies and new methodologies to the people that do the production in this country, and we did it very well, we actually have lost the need for a great number of farmers in America. But I think to make the blanket indictment of the failure of American agricultural policy over a period of 100 to 150 years would be the greatest mistake we could make.

Quite frankly, if we can take the experience of dispersing research and development and new technologies in the agricultural field and apply it to increase productivity in the manufacturing and industrial and communications sectors of the United States, that is what is going to build jobs and wealth in America. It is that very program. Do we defend or do we need all those Government employees? No.

I suggest our former colleague, who is now Secretary of Agriculture, is going about a hard effort to downsize

the Department of Agriculture. All I would say on that is, as we close some of those field offices, if I may, and I do not know if there are 1,200 or 12,000, but I hear the same thing in the back rooms of both parties here. I hear the complaints of the Members.

It is easy to stand here on the floor and say, let us cut expenditures. Let us cut departments. Let us cut Government. But then when you get your call from your local agriculture office and your farmer in your district, the membership seems to come on the floor and say something other than cut the number of Government employees.

You vote with me on closing those agricultural offices, and I will vote with you to close down some of the departments and agencies and downsize the Government. I think we will be working toward a common goal.

Mr. Speaker, I yield to the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Speaker, I thank my friend for yielding. I want to congratulate him for his very strong remarks in support of the free market process.

I would say, first, as he mentioned, the level of taxation that the American people face at the Federal, State, and local level juxtaposed to other industrialized nations, it seems to me that we need to realize that there is a marvelous byproduct of that. And it is, in fact, the fact that we have the highest standard of living of those industrial nations.

So there is a real benefit from the fact that we do not have a level of taxation which is higher than those other countries. I think, frankly, it should be lower, from my perspective.

Let me just take on this agricultural issue. I come from a State which has undergone a great deal of economic difficulty recently. We have suffered from cuts in the defense and aerospace industries.

The largest industry in my State of California happens to be agriculture. One of the great things about agriculture in California is that with few exceptions, agriculture in California, unlike other parts of the country, relies on exactly what my friend from Pennsylvania has been talking about; that is, the free market.

We have a lower level of Government subsidization of agricultural products in the largest State in the Union, which has as its largest industry the agriculture industry. And I think that is what the gentleman from Wisconsin [Mr. ROTH] is referring to when he talks about the fact that there are more bureaucrats working at the Department of Agriculture than there are farmers in this country.

We need to recognize that bringing about a reduction there could be beneficial. I am not about to indict the entire agricultural system that is in this country. I recognize that there have

been many benefits. But it is important for us to note that in the largest State in the Union, where we have agriculture as our largest industry and a very low level of Government subsidization, we have a great deal of success. I would hope that the Federal Government could learn from that experience.

I thank my friend for yielding to me.

Mr. KANJORSKI. In response I would say, I look forward to joining you, Mr. DREIER. I think you are eloquent in your argument, and I join the gentleman from Wisconsin [Mr. ROTH] and I suggest also particularly in the area of water and dairy subsidies that the gentleman from California and the gentleman from Wisconsin will join me in cutting those subsidies, because the private sector should have more to do with where the production is or what the cost of water is, rather than some guarantee that the farmers of Wisconsin or the farmers of California or the farmers of Pennsylvania gain some guaranteed benefit or cushion.

What we have to do is start cutting them loose and putting them in the private enterprise system where they can be competitive.

I look forward to watching your votes, as I will cast mine, for cutting agriculture expenditures and subsidies, particularly excessive water and dairy subsidies.

Mr. ROTH. Mr. Speaker, I think that the gentleman is correct. Our Government has gotten too big. That is exactly my argument.

But we have to do more than cut agriculture subsidies and other agencies. For example, the Department of Agriculture, in my opinion, does a much better job than most agencies. So we are using one. We could point to many, many others.

What I want to do is just distill this discussion we had here this afternoon down to one sentence. I think it is a fair summation.

Basically, what the gentleman on the other side of the aisle is saying is this, that America is great because Government programs are great. I am saying, America is great not because the Government is great. I am saying America is great because our people are industrious and because our people have a great deal of initiative.

America is great despite the Government programs, not because of the Government programs.

Mr. KANJORSKI. If I could respond, I hope no one that has listened to me, either yourself or anyone on C-SPAN, thinks that I am promoting further Government programs. What I am addressing is that I do not believe the Government is equipped to market or commercialize what patents and processes we have developed with our research and development to the private sector. What I am saying is, it is time that we in Government recognized that

we should turn to the private corporations as the agency to disperse that information broadly across the country, that we should turn to an American technology cable network program that can market that technology across the country and that, in fact, the Government be smart enough to do what it does well and it had done well, fund research and development. And now use the private sector, together with the Government getting its return on its investment back, by using the private sector to market and help commercialize the research and development owned by the United States of America that right now lies fallow in our vaults around the Federal Government.

If we market that, we have a key to create the million new jobs a year and the 12,000 small new businesses a year we need to restore economic prosperity. In doing so we will use new technologies to create wealth, to create good-paying jobs, high-paying jobs, to help solve the opposition that occurs in this country when the average American worker sees a threat to his job, like NAFTA, without an apparent interest on the Government's part to show where new jobs will be created for those who have lost their jobs as a result of the treaty.

I thank the gentleman from Wisconsin [Mr. ROTH] and the gentleman from California [Mr. DREIER] for joining me on this.

Mr. Speaker, all I have to say is that in the next week we will be introducing into the Congress of the United States a bill which encompasses the four programs and processes that I have talked about today.

That is, the creation of a comprehensive database so that all the technologies, licenses, patents and processes owned or partially owned by the U.S. Government be centralized and standardized, be made user-friendly, and that we authorize the Secretary of Commerce to create and participate in the creation of a private corporation, driven by private market processes of profit and response and bottom-line consideration, to aggressively market in a multifaceted outreach program, including the use of the American technology network, to disperse the information of what we have to all of the American people so that they can become entrepreneurs or small businessmen and players in this system and, finally, that we authorize a technological transfer investment fund, to finance commercialization of these technologies and to help underwrite the entrepreneurial capital and venture capital necessary to start 12,000 new businesses a year, so that we can create a million new jobs a year.

What I am talking about is the creation every year of 25 new, million dollar capitalized, small businesses in every congressional district in the United States.



If we could accomplish that, if when NAFTA comes up, and if that should pass or fail, but if it passes, at least most Americans would know that their Congress and their President had put into place a program to create the thousands of jobs necessary to make up for the potential loss that may occur under NAFTA.

□ 1420

# COMMENDATIONS TO JOHN HUME, LEADER OF THE SOCIAL DEMO- CRATIC LABOR PARTY IN NORTHERN IRELAND

(Mr. McCLOSKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCLOSKEY. Mr. Speaker, as chairman of the Friends of Ireland, I rise today to commend John Hume, leader of the Social Democratic Labour Party in Northern Ireland, for his years of dedication to seeking peace in that troubled land.

John Hume has recently completed a series of discussions with Gerry Adams, leader of Sinn Féin, the political wing of the Irish Republican Army.

John Hume's express purpose in these talks was to end the violence in Northern Ireland and build a lasting permanent peace. Over the years, he has faced death threats and attacks from extremists, and his willingness to persevere in the cause of peace is testament to his courage, conviction, and ultimately his faith in humanity.

John Hume has recently briefed the Government of Ireland and I have included a copy of the Taoiseach's statement for the RECORD.

As leader of the Friends of Ireland, whose membership includes almost a quarter of the House of Representatives representing Irish-American constituencies of both Catholic and Protestant heritage, I know the Members of this body join me in praying for peace to come to Northern Ireland.

No lasting settlement can occur in Northern Ireland without the active involvement of both the Catholic and Protestant traditions and communities.

John Hume has taken a bold step in the service of peace. His character and dedication to nonviolence should be an inspiration to us all. I call upon the political leadership in Northern Ireland and the British and Irish Governments to continue to seek a lasting and just peace.

EMBASSY OF IRELAND,

Washington, DC, October 7, 1993.

JOINT STATEMENT BY THE TAOISEACH, MR. ALBERT REYNOLDS, T.D., AND THE TÁNAISTE, MR. DICK SPRING, T.D.

The Taoiseach, Mr. Albert Reynolds, T.D., and the Tánaiste, Mr. Dick Spring, T.D., this morning met the leader of the SDLP, Mr. John Hume, who briefed them on the position reached to date in his discussions with the leader of Sinn Féin, Mr. Gerry Adams.

The Taoiseach and the Tánaiste took the opportunity to express their deep appreciation of the work done by John Hume over the years in the cause of peace.

The Taoiseach and the Tánaiste believe that the highest political priority must be given to establishing a basis for a just and lasting peace and a permanent cessation of all violence. They will accordingly evaluate carefully the position conveyed to them, and consult with the Government, with a view to ensuring that it can make a very important contribution towards building a consensus for peace. It would be their intention to take full account of it, and decide how best to continue their efforts in their discussions with the British Government for the achievement of the objective of peace on this island.

By definition, this work will require much patient effort and preparation. The Government will not be elaborating in further detail for the moment. A period of reflection, assessment and discussion is now necessary, and the Government believe that in the interests of peace the need for confidentiality should be respected.

The ultimate goal of all parties committed to a peaceful approach must be to reach a lasting political settlement, which can only be achieved on the basis of the widest political dialogue and participation, with the consent of the people living in Ireland, both North and South.

## JOB CREATION WITH THE NORTH AMERICAN FREE-TRADE AGREE- MENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DREIER] is recognized for 60 minutes.

Mr. DREIER. Mr. Speaker, I have taken out this time this afternoon to talk about an issue which continues to be hotly debated here in the Capitol and throughout the country. I am referring to the North American Free-Trade Agreement. I happen to feel very strongly that the North American Free-Trade Agreement is that one opportunity that we have to do exactly what my friend, the gentleman from Pennsylvania [Mr. KANJORSKI] was talking about just a few minutes ago; that is, create jobs.

In fact, most projections are that we will create 200,000 jobs within the first 2 years. We will create a tremendous number of jobs in the automobile industry, as we will dramatically increase the flow of exports from the United States into Mexico overnight. In the first year we are anticipating, the big three auto makers, that is, a 60-fold increase in the level of exports to Mexico in automobiles, and that will create many job jobs right here in the United States.

I recognize that as this debate has gone on on the North American Free-Trade Agreement, there is a great deal of passion that is excluded by many of my colleagues, Ross Perot, people in organized labor, over the prospect of losing jobs. Everyone can feel very strongly about the threat of job loss. I can certainly relate to that.

The fact of the matter is, we need to recognize that over the past several

years, without a doubt, the one area of this economy that has created jobs has been in the export sector. We have been able to see those involved in the export sector gain a wage rate which is 17 percent higher than the wage rates that are there for people working in the nonexport sector.

Mr. Speaker, I think it is important for us to realize that if this House, which on November 17 will be casting a vote on the North American Free-Trade Agreement, chooses to say no to NAFTA, what happens is we will lose a tremendous number of jobs right here in the United States. Why? Because the tariff barrier which is so great today, preventing the flow of United States goods into Mexico, will be maintained and other countries, specifically Japan and countries in Western Europe, will seek to enter Latin America.

Mr. Speaker, I feel very strongly that the threat of losing jobs if we do not pass NAFTA is a very serious one. Think about the people today whose livelihoods depend on exports. There are thousands and thousands of people whose livelihoods depend on exports. In fact, 700,000 jobs here in the United States today depend on exports to Mexico alone.

There are many people who, as we have debated this issue, have said that flow of exports goes simply to the maquiladoras along the border. Yesterday our Labor Secretary, Mr. Reich, made it very clear. As high as 83 percent of the United States exports going to Mexico do not go to the maquiladoras, they go into Mexico as goods and services that are provided to the Mexican people.

As I listen to many of my colleagues decry the North American Free-Trade Agreement, it seems to me that we need to recognize that there are people who desperately want to defeat NAFTA. Mr. Speaker, the greatest opposition to NAFTA does not lie here in the United States, here in the Congress, among the American people. Mr. Speaker, the greatest opposition to the North American Free-Trade Agreement lies with the people in Japan and the people in Western Europe. I say that very simply, because if we defeat NAFTA, the people of Japan, who prevent us from selling our automobiles, and rice from my State of California, and other goods manufactured here in the United States, because of extraordinarily high tariffs and other barriers, want to be able to go to Mexico, utilize Mexico as an export platform so they can gain access to the tremendous 250 million consumers here in the United States.

It seems to me, Mr. Speaker, that we need to recognize that with NAFTA the rule of origin requirements will not allow the Western Europeans or the Japanese to utilize Mexico as an export platform. In fact, as Lee Iacocca, who is strongly supporting the North American Free-Trade Agreement, has said,

the corks on the champagne bottles will be popping in Japan and Germany if the United States Congress defeats NAFTA.

I simply underscore that it is essential for us to realize that the most virulent opposition to the North American Free-Trade Agreement lies in the countries that did not allow us to sell our goods and services into their countries without a large tariff barrier.

Mr. Speaker, I yield to my friend, the gentleman from Arizona [Mr. COPPERSMITH], who has been working diligently on behalf of the North American Free-Trade Agreement.

Mr. COPPERSMITH. Mr. Speaker, I thank the gentleman for yielding to me. I also thank the gentleman from Indiana [Mr. McCLOSKEY].

Mr. Speaker, I will try to be brief. The gentleman has brought up a key point, which is who gains and who loses should there be no NAFTA. What many people have failed to recognize is that the North American Free-Trade Agreement gives American workers, American businesses, better access to the Mexican market. It gives us preferential access to the American market, essentially tariff-free.

As we have discussed other times, what we have now is essentially one-way free trade. United States tariffs are so low they present no barriers to Mexican goods coming up here, effectively. They are about 2 percent, 3 percent, sometimes even lower in particular sectors.

Mexican tariffs, on the other hand, are relatively significant, 2½ times the average United States tariff. Those tariffs will remain in effect for Japanese exports, for West German exports, for French exports, but they will come down for American exports.

The Mexican market is one of the fastest growing in the world. It is certainly one of the fastest growing in North America, as well. It is not enough for opponents to really rely on history, to look at where the growth had come from in the past. I think it is far more important that we look to the future and see where the growth will be in the future, where will the jobs of tomorrow come from, not the jobs of yesterday.

The jobs of tomorrow will be generally export jobs, and export to the most rapidly growing economies, those of the rapidly developing countries. The Mexican market is more or less closed to us now. It has been opened slightly with the 1987 economic reforms, but there are still significant barriers to our businesses selling their products in Mexico.

Bringing down those barriers locks in preferential access to that market for our producers, for our workers. It brings us access to where the jobs are going to come from in the future, the rest of this decade and the 21st century.

Mr. DREIER. I thank my friend for his contribution. Let me just say briefly, to be specific on some of those, I was mentioning earlier the automobile industry. Right now there is a 20-percent tariff on United States-made automobiles that are being exported to Mexico, creating a situation which allows us to sell no more than 1,000 automobiles a year, United States-made, into the Mexican market.

□ 1430

Mr. COPPERSMITH. That is fewer cars than we sell to Japan where the market is essentially closed to United States manufacturers. That is the effect of that 20 percent tariff right now.

On the other hand, the Mexicans have no problem or difficulty exporting cars made in Mexico back to the United States, because our tariff is so low.

Mr. DREIER. Exactly, a 2.2-percent tariff. And basically, as we look at this, the 20-percent tariff which they have today on our automobiles going in will drop down to zero as the 2.2-percent tariff that we have on theirs comes down to zero. The important thing that my friend has just said is that that 20-percent tariff remains for German and Japanese automobiles seeking to enter the Mexican market. And so what that says again is that there is a tremendous boost given to the American worker who has jobs today because of exports, and will continue to create more jobs in the area of exports in the future with the North American Free-Trade Agreement.

You know, we so often hear that the poor Mexican people cannot afford to buy any goods made in the United States because they have such a substandard of living. People who say this are looking at the Mexico of 10, 20, 30, 40, 50, 60 years ago. If you look at the growing middle-income wage earner in Mexico, it is one of the most dynamically growing middle classes in the world. And as we look at that, it is important for us to recognize there are 20 million people in Mexico who fall within that middle-income category, many of whom desperately want to have the chance to purchase United States-manufactured goods and services.

Let us look at the telecommunications industry, which has been a big and growing one there. We have all heralded the decision made by President Salinas a few years ago to privatize the telephone industry and the banking industry. We know companies like AT&T and others will benefit greatly. Why? Because of the exports of technologically advanced materials that have been developed right here in the United States to Mexico. Today, once again a tariff just like automobiles, 20 percent, and that tariff under NAFTA will go down to zero. And yet the tariff for Japanese telecommunications items and German telecommunications items will remain at 20 percent, meaning that

the United States worker will have a great preferential treatment over the Japanese or the German worker as we look at this issue.

Mr. COPPERSMITH. Let me follow with two examples that are quite important to me and to my district, semiconductors and computers.

Right now the Mexican tariff on semiconductors is about 10 percent. The tariff on computers, where the semiconductors are largely used, is 20 percent. That tariff comes down to zero and gives our producers who are making those products preferential access to the rapidly growing Mexican market.

It is important, and there are many other examples, automobiles, semiconductors, computers, any other that we care to choose.

We had a discussion here last week where the debate was if NAFTA was a business deal, would you sign on to it. That is a business deal where really in effect we give up so little. We already have extremely low tariffs. Our tariff averages 2.2 percent for most of these products. They are extremely low. We have already given the Mexicans one-way free trade into the United States. We have already created a system where we risk losing jobs to the maquiladoras that essentially could be operated as export platforms. We already have environmental problems along the border because the Mexican infrastructure cannot keep up with the growth and with the environmental problems created by the maquiladoras, and where there are immigration pressures because people look for increased opportunities, whether it is along the borders at the maquiladora plants or in the United States.

We give up so little. We give up our problems. We give up extremely low tariffs. We give up a system of one-way free trade, and in exchange we get access to one of the fastest growing economies in the world.

Mr. DREIER. I thank my friend for once again talking about what I call the Sam Gibbons thesis of one-way free trade. Every time the distinguished chairman of the Trade Subcommittee stands up and talks about Mexico, he refers to the fact that for decades we have had one-way free trade with Mexico. They have had access to our markets, and yet we have not had access to theirs because of tariff barriers that exist. And it seems to me that as we look at our goals here, they clearly are to try and bring about a balance. We hear that things are inequitable, but the fact of the matter is the inequity lies on the American worker who today cannot produce goods that can be sold in Mexico without a tax. It is a tax on American workers, and American goods that are seeking to enter the consumer market in Mexico, which clearly is growing. In fact, the anticipation is that we will see a 15-percent



growth in the consumer market in Mexico. It is today the 13th largest economy in the world, and the 10th largest consumer base there.

So while we get preferential access under NAFTA, the Japanese and the Germans do not. They still have those very high punitive tariffs on them. It stands to reason that this is a major victory, a major job creator, a major opportunity creator for the United States of America.

Mr. COPPERSMITH. I think the gentleman has raised a couple points that I want to follow on. One is that our competitors, our economic competitors, the ones from whom we have the most to fear, and the ones who really are competing with us for access to these markets, are the Japanese and the Europeans. And let us look at what they are doing. They are forming trading blocs. They are trying to form common markets or trading blocs as large as possible that give their industry and their workers and their service industries and their manufacturers preferential access within the trading bloc, to give themselves as large a base as possible. They have done that in Western Europe and the Japanese are seeking to do it in Asia. But when we try and do it in North America, to try and give our people preferential access to rapidly growing markets that naturally want to buy our products, it is hard to imagine, if you have not spent significant time overseas, how desirable American products are, and how much they want to buy them. We are somehow drawing back from that.

The second point is that it is really worse than just one-way free trade. The fact that anything Mexico makes can come in here with essentially no duty, but we are blocked from their market, it is worse than that, because I think the example the gentleman gave me was Tandy Corp. and IBM, and we are countenancing a system that actively gives American manufacturers an incentive to locate in Mexico, because from Mexico they can serve both the U.S. market with extremely low tariffs, as well as also the Mexican market which is closed to American exports. We are forcing people to move so that they can get access to a rapidly growing market under the current system.

NAFTA, by lowering the tariffs, removes that incentive. You will be able to serve the Mexican market with no tariff from the United States.

Mr. DREIER. My friend makes a very good point which deserves to be understood here. We so often hear from our constituents who say gosh, we should not pass NAFTA. What about all of those U.S. businesses that are fleeing to Mexico today. And we like to underscore, my friend and I, that that is without NAFTA. NAFTA is the best way to counter this. Why? Because contrary to the view that is out there,

United States businesses locate in Mexico to take advantage of cheap labor so they can sell back to the United States, that is wrong. Seventy percent, let me say that again, 70 percent of the business that United States-owned companies that locate in Mexico do, is in the Mexican market, because as my friend from Phoenix has said, it is the only way that they can gain access to the Mexican consumer market without going through these huge tariff barriers. So when the tariff barriers come down, the incentive for United States businesses to move from the United States to Mexico will be eliminated.

Mr. COPPERSMITH. As the gentleman from Claremont has pointed out, if low wages were everything, then Haiti, and Bangladesh, and Burkino Faso would be getting all of the jobs. They clearly are not. There is more to this than just the absolute level of wages that is going on here, and it has to do with productivity, it has to do with access to markets, it has to do with many other factors. Wages alone are not determinative.

But even more so, the people who use the current status quo as an argument for saying look at these jobs moving to Mexico, you are right, because so many of those points are moving to access the rapidly growing Mexican market because that is where the growth is coming from in the future. But moreover, opposing NAFTA is defending the status quo. It is preserving the system that has given us this kind of job movement, that has created this one-way free trade, that has allowed these environmental problems to fester. And it keeps the economic stimulus for immigration high. The only way we can deal with those problems that the current situation has, that is the status quo and that will continue to get worse, is to change the way the United States and Mexican markets relate to each other by giving us two-way free market, by letting United States workers get preferential access to the rapidly growing Mexican market.

Mr. DREIER. My friend's distinguished tenure in the Foreign Service has obviously come out in his ability to spot different low-wage markets, low-wage spots throughout the globe.

Let me talk further if I could for just a moment about the opponents to NAFTA. As I said, there is no one more virulently opposed to the North American Free-Trade Agreement than the Japanese and the Germans. Why? Because they are not treated as well as the Americans, and I happen to think that is just fine, with the implementation of NAFTA.

But there is a cadre of people here in the United States who have opposed NAFTA. And interestingly enough, of the Big Five opponents to NAFTA, all of them have run for President of the United States, and all of them have been resoundingly defeated.

□ 1440

Now, when we hear the argument about "not this NAFTA, we want to bring about a different North American Free-Trade Agreement," I often say, "Yes, let us put together a North American Free-Trade Agreement that would have the support of these five people who are opposed to the North American Free-Trade Agreement." Of those five, let me see, I will name them for you: Pat Buchanan, Jesse Jackson, Ross Perot, Jerry Brown, and Ralph Nader. Those five people have run for President of the United States. Those five people join the Japanese and the Germans as opponents to the North American Free-Trade Agreement. It is an amazing blend of people who look at the world much differently but who have come together to defeat the North American Free-Trade Agreement, and it is clear that they are wrong.

Why is it that these people would join with the Japanese and the Germans in opposing the North American Free-Trade Agreement? It stuns me.

When you look at those who are supporters of the North American Free-Trade Agreement, all living former Presidents of the United States. All living former Presidents of the United States strongly support NAFTA.

Now we hear about all this money that has bought out support for NAFTA, bought off Members of Congress, bought off all these people. I point to former Presidents of the United States Jimmy Carter, Richard Nixon, Ronald Reagan, George Bush, Gerald Ford. These people are interested in the future of the country that they had the opportunity to lead. Democrat and Republican alike, they have come together and joined with President Clinton in support of the North American Free Trade Agreement.

I am a Republican and proud of it. I happen to disagree with President Clinton on most every issue, but I believe he is right when he has joined with all of the living former Presidents, who strongly support this agreement. So we have people who have actually served as Commander in Chief who support NAFTA. We have five former Presidents against five people who sought that opportunity: Ross Perot, Jesse Jackson, Jerry Brown, my former Governor in California, Pat Buchanan, and Ralph Nader, right down the line. These are people who oppose NAFTA.

I choose to support those who are recognizing from experience that they had as Commander in Chief that breaking down barriers is the wave of the future.

Now, my friend from Phoenix has referred to the fact that he cannot understand why people would not want us to have the opportunity for U.S. workers to take advantage of that, and he is right. People who oppose it are not recognizing that during the decade of the

1980's we have had a technological explosion which brought down the Berlin Wall, allowed satellite technology, cellular telephones, fax machines; all these technological advances to improve the standard of living and the quality of life for peoples throughout the world. We want to expand that by now reducing tariff barriers so that we can recognize that trade is not a zero-sum game. There are winners in the trade game. No one has to lose.

Mr. Speaker, I further yield to my friend.

Mr. COPPERSMITH. The gentleman mentioned that the five opponents, he said the fact that they shared in common was that they were unsuccessful candidates for President. I think it is also important that we know what they also share, that is that in this case they are defenders of the status quo, defenders of a system of one-way free trade, where Mexican products come here essentially unhampered and our products are more or less blocked from the Mexican market.

So they are also defenders of the problems that we have today that are essentially getting worse. The maquiladora problem that essentially can be used as an export platform, the environmental problems along the border, the immigration pressures and economic pressures leading to people moving from Mexico to the United States; all those problems are problems we face today under the current system. They will continue to get worse unless we change them, unless we get the courage to change. The gentleman said he was willing to stand with every living ex-President, as am I. I am also willing to stand with the ingenuity and productivity and the American work ethic of the American work force. I think we can compete with anyone, we can compete on any fair terms in the world. We are having problems now because we have an unfair tariff in Mexico. By reducing that to zero, you will just see how well the American worker will do.

Mr. DREIER. My friend is absolutely right. I think it is important to point out to supporters of the North American Free-Trade Agreement: Today we were all intrigued and pleased to hear that the Nobel Peace Prize is jointly being extended to Nelson Mandela and F.W. de Klerk of South Africa as they seek to bring about an end to apartheid, and freedom and opportunity for the people of South Africa. The world has recognized that while there are still problems there, the peace prize was given to them.

As we look at this trade issue, I think we should point to the fact that every single living winner of the Nobel Laureate for Economics strongly supports the North American Free-Trade Agreement. In fact, there are 12 of them, including Kenneth J. Arrow, James Buchanan, Gerard Debreu, Mil-

ton Friedman, Wassily Leontief, Merton Miller, Franco Modigliani, Paul A. Samuelson, Theodore W. Schultz, William F. Sharpe, Robert Solow, and James Tobin.

They have joined with 264 other economists who have strongly urged support, and one of the lines in the letter that they sent to President Clinton says, "Specifically, the assertions that NAFTA will spur an exodus of U.S. jobs to Mexico are without basis." I think that while yesterday the Harvard economist who happens to be our Secretary of Labor, Robert Reich, said that an economist is someone who did not have the personality to become an accountant, points to the fact that clearly economists are not always the most heralded around. But we need to recognize 264 of them joining with those Nobel Laureates in economics, we need to recognize that these people have closely looked at markets and the fact that the United States will gain in the area of job opportunities, and those people join with the former Presidents in strong support of it, against the AFL-CIO who join with Ralph Nader, Pat Buchanan, Ross Perot, Jesse Jackson, Jerry Brown, the gang of opponents who really are sticking their heads in the sand. As my friend says, they are trying to maintain the status quo which jeopardizes jobs right here in the United States.

Mr. Speaker, I further yield to the gentleman.

Mr. COPPERSMITH. The gentleman is right. I think the important thing in this debate is we look forward to where the jobs are coming from in the future. No one has done more to articulate that problem and point the way to solution than the Secretary of Labor, Robert Reich, who is a fervent supporter of the free trade agreement, even though, following his hip surgery replacement in December, it is not clear that he passes the domestic content rule.

So this may be an admission against interests, but I think it is important that my colleague from Claremont is standing here trying to convince our colleagues of the importance of the free trade agreement because there may be some on his side of the aisle who are unwilling to do the right thing simply because this is an initiative and a priority of this administration. That is the task that the gentleman has to carry.

I, in turn, on my side of the aisle, have to carry, to convince fellow Members to support our Nation's President because he is exactly right. It is not enough we look back to the past, that we lock ourselves into the problems that we have, that we eliminate the opportunity for continuing growth, for where the growth has come from, as the gentleman pointed out, is from exports. It is important that we focus on what is in the best interest of our Na-

tion's future, not that may recapture a past that can never live again. Where the jobs are coming from, where the growth is coming from is clearly an expanded free trade, and if we just lower the barriers and let the American workers compete on an even basis and end this system of one-way free trade, I know we will grow and I know we will prevail.

Mr. DREIER. I thank my friend for that very helpful contribution.

I would like to close by simply saying that while there is this view that the passion is on the other side, the fear of losing jobs, I know that my friend joins me in being very concerned about the prospect of job loss if NAFTA is not passed.

That is why I urge my colleagues, Mr. Speaker, to support the North American Free-Trade Agreement, look at the details, look at the fact that we will lose jobs in the United States without the North American Free-Trade Agreement and that with the North American Free-Trade Agreement there is no doubt whatsoever that opportunity is going to be created for the American workers and for us to improve the standard of living on both sides of the border.

I hope very much that as November 17 approaches, that we will be able to prevail and provide what I think is the single most important job-creating vote that we will face in the 103d Congress.

□ 1450

#### CONFERENCE REPORT ON H.R. 2520

Mr. YATES submitted the following conference report and statement on the bill (H.R. 2520) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes:

#### CONFERENCE REPORT (H. REPT. 103-299)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2520) "making appropriations for the Department of the Interior and Related Agencies, for the fiscal year ending September 30, 1994, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 7, 8, 20, 21, 25, 29, 37, 40, 45, 48, 56, 60, 61, 63, 79, 83, 86, 92, 103, 104, 112, 119, 122.

That the House recede from its disagreement to the amendments of the Senate numbered 28, 31, 34, 36, 57, 58, 59, 64, 68, 70, 80, 91, 93, 96, 105, 106, 107, 108, 109, 110, 113, 114, 115, 116, and agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 4, 10, 12, 18, 23, 24, 27, 38, 39, 41, 42, 43, 49, 50, 51, 54, 62, 67, 69, 71, 72, 73, 74, 75, 76, 77, 81, 82, 84, 90, 95, 100, 101, 102, 111, 118, 120, 121, 123, 124, 125.

#### Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:



In lieu of the sum proposed by said amendment insert: \$7,500,000; and the Senate agree to the same.

## Amendment numbered 99:

That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: \$296,982,000; and the Senate agree to the same.

## Amendment numbered 117:

That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as follows:

In lieu of the first section number named in said amendment, insert: 313; and the Senate agree to the same.

SIDNEY R. YATES,  
JOHN P. MURTHA,  
NORMAN D. DICKS,  
TOM BEVILL,  
DAVID E. SKAGGS,  
RONALD D. COLEMAN,  
WILLIAM H. NATCHER,  
RALPH REGULA,  
JOSEPH M. MCDADE,  
JIM KOLBE

(except for amendments Nos. 16, 17, 18, and 123),

RON PACKARD  
(except for amendments Nos. 16, 17, 18, and 123),

*Managers on the Part of the House.*

ROBERT C. BYRD,  
J. BENNETT JOHNSTON,  
PATRICK J. LEAHY,  
DENNIS DECONCINI,  
DALE BUMPERS,  
ERNEST F. HOLLINGS,  
HARRY REID,  
PATTY MURRAY,  
DON NICKLES,  
TED STEVENS,  
THAD COCHRAN,  
MARK O. HATFIELD,

*Managers on the Part of the Senate.*

## JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2520), making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 1994, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on H.R. 2520 incorporates some of the provisions of both the House and the Senate versions of the bill. Report language and allocations set forth in either House Report 103-158 or Senate Report 103-114 which are not changed by the conference are approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not negate the language referenced above unless expressly provided herein.

## TITLE I—DEPARTMENT OF THE INTERIOR

## BUREAU OF LAND MANAGEMENT

## MANAGEMENT OF LANDS AND RESOURCES

Amendment No. 1: Reported in technical disagreement. The managers on the part of

the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following:

## MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau of Land Management, \$599,860,000, of which the following amounts shall remain available until expended: \$1,462,000 to be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-6a(i)), and \$69,418,000 for the Automated Land and Mineral Record System Project: Provided, That appropriations herein made shall be not available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau of Land Management or its contractors; and in addition, \$15,300,000 for Mining Law Administration program operations to remain available through September 30, 1994, to be reduced by amounts collected by the Bureau of Land Management and credited to this appropriation from annual mining claim fees so as to result in a final fiscal year 1994 appropriation estimated at not more than \$599,860,000: Provided further, That in addition to funds otherwise available, not to exceed \$5,000,000 from annual mining claims fees shall be credited to this account for the costs of administering the mining claim fee program, and shall remain available until expended.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment appropriates \$599,860,000 for management of lands and resources instead of \$604,415,000 as proposed by the Senate. The House did not include funds for this account. The amendment also derives \$15,300,000 for mining law administration and \$5,000,000 for the administration of the mining claim fee program from mining claim fees, and prohibits the destruction of healthy wild horses and burros as proposed by the Senate.

The decrease from the amount proposed by the Senate consists of \$250,000 for oil and gas in energy and minerals development; \$55,000 for preparation of land for disposal and sale in Oregon, \$400,000 for land withdrawal reviews, and \$1,000,000 for land exchanges, all in lands and realty management; \$300,000 for the Rio Puerco watershed, NM, in soil, water, and air management; \$300,000 for riparian management, \$500,000 for threatened and endangered species habitat management, and \$750,000 for general habitat management, all in wildlife habitat management; \$50,000 for the Chacoan Outliers in cultural resources management; \$50,000 for the bicycle trail between Glendale and Powers, OR, and \$400,000 for general management activities, both in recreation resources management; and \$500,000 for facilities maintenance.

The managers agree that \$55,000 is available within funds for lands and realty management to allow the BLM to prepare for the disposal and sale of 1,500 acres of BLM-administered lands in order to compensate for the loss of local county tax revenues which results from the acquisition of the Wood River Ranch in the Klamath Basin, OR.

## FIRE PROTECTION

The managers agree that within funds provided for Bureau of Indian Affairs

presuppression activities \$300,000 is to complete the fire fuel break project around Glenallen, AK.

## CONSTRUCTION AND ACCESS

Amendment No. 2: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Retain the matter proposed by said amendment, amended as follows:

In lieu of the sum named in said amendment, insert: \$10,467,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment appropriates \$10,467,000 for construction and access instead of \$10,817,000 as proposed by the Senate. The House made no such appropriation. The reduction below the amount proposed by the Senate consists of \$250,000 for a low-water crossing below Pathfinder Dam., WY; and \$100,000 for interpretation and visitor facilities at Forts Craig and Cummings, NM.

## LAND ACQUISITION

Amendment No. 3: Appropriates \$12,122,000 for land acquisition instead of \$14,877,000 as proposed by the House and \$8,177,000 as proposed by the Senate.

The management agrees to the following distribution of funds:

Book Cliffs, UT .....	\$245,000
Cache Creek, CA .....	700,000
Central Valley Wetlands, CA .....	900,000
Cowiche Canyon Preserve, WA .....	400,000
Desert Tortoise Habitat ....	700,000
Garden Park Fossil Area, CO .....	500,000
Idaho Lands .....	1,450,000
McIntire Spring, CO .....	550,000
Morongo Canyons, CA .....	200,000
Pechanga Burial Grounds, CA .....	300,000
San Pedro NCA, AZ .....	1,000,000
Santa Rosas Mountains, CA .....	1,000,000
West Eugene Wetlands, OR .....	750,000
Wood River, OR .....	1,400,000
Inholdings .....	750,000
Acquisition Management ..	1,277,000

Total, Bureau of Land Management ..... 12,122,000

The managers acknowledge that Uintah County, Utah, has established a policy of no net gain of Federal land and no net loss of private property within the county, as a means to ensure a stable and secure tax base. Therefore, the funds to be used to complete acquisition of the Cripple Cowboy Ranch in the Book Cliffs/Bitter Creek, UT area cannot be expended until the Bureau of Land Management (1) identifies a list of specific Federal acreage located throughout Uintah County, which is equal in value and equal in amount to the acreage involved with the full acquisition of the Cripple Cowboy Ranch, that will be exchanged to the county in a diligent and timely manner, and (2) has consulted with the Uintah County Commission.

## OREGON AND CALIFORNIA GRANT LANDS

The managers agree that the Bureau of Land Management may reprogram funds within this account for watershed assessment and restoration, up to a maximum of \$17,300,000. Within 60 days of enactment, the Department shall report to the Committees on Appropriations as to which programs were decreased to provide the watershed funds.



Amendment No. 4: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

#### RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal range-lands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 per centum of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,025,000, to remain available until expended: Provided, That not to exceed \$600,000 shall be available for administrative expenses.

#### SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under sections 209(b), 304(a), 304(b), 305(a), and 504(g) of the Act approved October 21, 1976 (43 U.S.C. 1701), and sections 101 and 203 of Public Law 93-153, to be immediately available until expended: Provided, That notwithstanding any provision to the contrary of section 305(a) of the Act of October 21, 1976 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this or subsequent appropriations Acts by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such forfeiture, compromise, or settlement are used on the exact lands damage to which led to the forfeiture, compromise, or settlement: Provided further, That such moneys are in excess of amounts needed to repair damage to the exact land for which collected.

#### MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing law, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau of Land Management; miscellaneous and emergency expenses of enforcement activities author-

ized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed \$10,000: Provided, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides indefinite appropriations for range improvements; service charges, deposits, and forfeitures; and miscellaneous trust funds as proposed by the Senate. The House bill included no appropriations for these accounts.

The amendment also includes administrative provisions for the Bureau of Land Management as proposed by the Senate, amended to delete references to expenditures for Oregon and California Railroad and Coos Bay Wagon Road grant lands no longer required. The House had no similar provision.

#### U.S. FISH AND WILDLIFE SERVICE

##### RESOURCE MANAGEMENT

Amendment No. 5: Appropriates \$484,313,000 for resource management instead of \$492,229,000 as proposed by the House and \$476,831,000 as proposed by the Senate.

The net change to the House position includes the following:

##### Increases:

Bay estuary program coordination .....	\$75,000
Platte River studies .....	196,000
Middle Rio Grande Bosque project .....	200,000
Alaska accident prevention, safety and survival training .....	300,000
Nevada Negotiated Water Settlement Act .....	100,000
Alaska refuge operations (transfer from NBS) .....	665,000
Alaska subsistence harvest .....	\$250,000
Harvest information .....	250,000
Training .....	700,000
Philadelphia port of entry .....	100,000
Baltimore port of entry ..	200,000

##### Decreases:

Endangered species:	
Prelisting .....	250,000
Listing .....	250,000
Consultation .....	1,500,000
Recovery .....	2,125,009
Washington State ecosystems project .....	138,000
Chicago Wetlands Office .....	143,000
Bay estuary program:	
Puget Sound .....	69,000
San Francisco Bay .....	25,000
Long Island Sound/So. New England .....	100,000
Hydropower licensing/re-licensing .....	125,000
Environmental contaminants .....	500,000
National Wetlands Inventory .....	1,100,000
Challenge Cost Share .....	250,000
Air quality activities .....	250,000
Habitat Management .....	800,000
Refuge operations and maintenance .....	375,000
Water rights .....	250,000
Maintenance .....	500,000
RESERVA .....	150,000

North American Waterfowl Management Program Coordination .....	\$125,000
Fisheries stewardship .....	500,000
Interjurisdictional rivers .....	427,000
Space rental .....	1,000,000

The managers agree to the following:

1. Up to \$100,000 within habitat conservation is available for model wetlands restoration at The Wilds, Ohio.

2. \$400,000 is included within the recovery budget for Mexican wolf recovery programs.

3. The Service is to follow the guidance provided in House Report 103-158 regarding the innovative habitat conservation program in southern California.

4. None of the reduction for habitat management below the House level is specifically directed at Patuxent NWR, MD.

5. While \$665,000 has been transferred back to refuge operations in Alaska from the National Biological Survey, the Service should continue to coordinate with the NBS on those activities which have been conducted for several years by the Alaska Research Center.

The managers urge the Fish and Wildlife Service to complete its review of the regulations governing the release and harvest of captive-reared mallards on State licensed regulated shooting areas. The Service should review all data bases on this issue, including its current study on duck release programs as well as other studies in progress, and present its findings to the Committees on Appropriations and other interested parties before considering any changes in regulations.

The managers recognize the importance of the Treaty Indian Catch Monitoring Program and the essential role of the U.S. Fish and Wildlife Service in providing technical assistance in support of this program for the collection and dissemination of Tribal commercial fisheries harvest data. The managers encourage the Service to do everything in its power to ensure the continued success of the Treaty Indian Catch Monitoring Program.

Amendment No. 6: Earmarks \$2,500,000 for the National Fish and Wildlife Foundation as proposed by the House instead of \$1,500,000 as proposed by the Senate.

Amendment No. 7: Deletes Senate provision earmarking \$100,000 for the purpose of compiling and maintaining a database consisting of big game and small game population levels and hunter harvests in, and adjacent to, areas under consideration for wolf reintroduction. While not specifying a certain dollar amount, the managers urge the Service to compile this data within available funds consistent with the objectives identified in the Senate bill language and, in particular, to make use of data already available and to cooperate with State efforts already underway to establish a comprehensive big game database.

Amendment No. 8: Deletes Senate earmark of \$40,000 for the research program relating to habitat and repopulation studies and possible interactions between wolves and mountain lions in and around Yellowstone National Park. This issue is addressed under the National Biological Survey.

#### CONSTRUCTION

Amendment No. 9: Appropriates \$73,565,000 for construction instead of \$53,209,000 as proposed by the House and \$79,388,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

Site	Description	Amount
Aransas NWR, TX .....	Office/residence replacement	\$294,000

Site	Description	Amount
Bear River MBR, UT	Flood damage repair	\$250,000
Bozeman Fish Tech Center, MT	Fish contaminant building	1,160,000
Cape Romain NWR, SC	Replacement visitor center	1,550,000
Chetah River, WA	River restoration	200,000
Crab Orchard NWR	Water tower rehabilitation	439,000
Eastern Shore of Virginia NWR, VA	Complete visitor center	1,000,000
Hatchie NWR, TN	Handicapped fishing access	500,000
Hawaii Captive Breeding Facility, HI	Endangered bird species	1,500,000
Hawaii Refuges, HI	Fencing	450,000
Kenai NWR, AK	Skilak Loop	2,000,000
Ketchikan Eco Services, AK	Replace dock facilities	1,350,000
Lake Ilo NWR, ND	Improve dam safety	9,280,000
Lower Truckee River, NV	Restore habitat	450,000
Makah NWR, WA	Road Rehabilitation	500,000
National Ed & Training Center, WV	Training Center	21,280,000
Noxubee NWR, MS	Plan bridge replacement	800,000
Ottawa NWR, OH	Metzger Marsh dike	1,800,000
Ouray NWR, UT	Endangered razorback sucker	970,000
	Pelican Lake Pipeline	714,000
		650,000
Pacific Institute of Natural Sciences, OR		
Pacific Island NWR, HI	Repair seawall	500,000
Panther Swamp NWR, MS	Replace 4 bridges	1,375,000
Prime Hook NWR, DE	Replace office/visitor center	342,000
Tensas NWR, LA	Access road	2,620,000
Togiak NWR, AK	Employee housing (3)	1,145,000
Trempealeau NWR, WI	Entrance road bridge	351,000
Upper Souris NWR, ND	High hazard dam	6,303,000
Walnut Creek NWR, IA	Refuge development	5,290,000
Wertheim NWR, NY	Building repairs	334,000
Wichita Mtns WR, OK	Gramma Lake Dam	560,000
	Complete facility	600,000
	Waste water treatment system	150,000
William Finley NWR, OR	Muddy Creek Bridge replacement	130,000
Emergency projects		1,000,000
Dam safety inspections		594,000
Bridge Inspections		579,000
Construction management		5,540,000
Offset	Lake Elmer Thomas dam	-985,000
Total		73,565,000

No funds have been provided to the U.S. Fish and Wildlife Service for the pollution abatement facility at the Winthrop National Fish Hatchery, WA because this facility has been transferred to the Bureau of Reclamation.

The managers agree that the fiscal year 1994 appropriation ends the Federal contribution to the Pacific Institute of Natural Sciences.

The managers have provided an additional \$1.5 million to the Service for Phase I of the captive propagation facility for endangered species in Hawaii. Since the Service has stated that this project is a high priority, the managers expect the Service to include the funds needed for operation of this facility and Phase II construction in the fiscal year 1995 budget and beyond.

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken by said amendment, insert the following:  
*of which \$1,800,000 shall be available as a grant from the United States Fish and Wildlife Service to Ducks Unlimited, Inc., for construction of the Federal portion of the dike and pumping station at Metzger Marsh: Provided, That notwithstanding any other provision of law a single procurement for the construction of facilities at the Walnut Creek National Wildlife Refuge, Iowa may be issued which includes the full scope of the project: Provided further, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.323.18*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment restores House language stricken by the Senate regarding construction of a Metzger Marsh dike and pumping station at Ottawa NWR, OH and allows a sin-

gle procurement to go forward for construction at Walnut Creek NWR, IA.

#### NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION FUND

Amendment No. 11: Appropriates \$6,700,000 for natural resource damage assessment instead of \$7,260,000 as proposed by the House and \$6,260,000 as proposed by the Senate.

#### LAND ACQUISITION

Amendment No. 12: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates \$82,655,000 for land acquisition instead of \$61,610,000 as proposed by the House and \$76,204,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree to the following distribution:

ACE River Basin, SC	\$3,000,000
Alaska Peninsula NWR, AK	250,000
Alaska Refuges	3,000,000
Archie Carr NWR, FL	1,390,000
Back Bay NWR, VA	500,000
Balcones Canyonlands NWR, TX	3,000,000
Bald Knob NWR, AR	1,000,000
Bogue Chitto NWR, LA	500,000
Buenos Aires NWR, AZ	1,200,000
Cache River, AR	3,000,000
Canaan Valley NWR, WV	2,000,000
Cape May NWR, NJ	2,100,000
Chincoteague NWR, VA	500,000
Columbian Deer NWR, WA	500,000
Connecticut River NWR (planning)	500,000
Cypress Creek NWR, IL	3,000,000
E.B. Forsythe NWR, NJ	4,500,000
Emiquon NWR, NJ	1,430,000
Grand Bay NWR, MS, AL	500,000
Grasslands (Gallo Ranch), CA	2,100,000
Grays Harbor NWR, WA	1,000,000
Great Swamp NWR, NJ	500,000
Kilauea NWR, HI	2,175,000
Lake Wales Ridge NWR, FL	2,000,000
Lower Rio Grande Valley NWR, TX	2,360,000
Lower Suwannee NWR, FL	1,000,000
Marais de Cygnes, KS	400,000
Minnesota Valley NWR, MN	1,000,000
Pelican Island NWR, FL	1,220,000
Pettaquamscutt NWR, RI	750,000
Rachel Carson NWR, ME	2,000,000
Red Rock Lakes, MT	400,000
Sacramento River NWR, CA	3,000,000
San Francisco Bay NWR, CA	2,500,000
St. Marks NWR, FL	780,000
Sippewisset Marsh, MA	800,000
Stewart B. McKinney NWR, CT	1,600,000
Stone Lakes NWR, CA	1,000,000
Tensas NWR, LA	1,900,000
Trinity River NWR, TX	1,000,000
Tualatin NWR, OR	2,000,000
Two Ponds Wetlands, CO	1,800,000
Walkkill NWR, NJ	2,000,000
Inholdings	1,000,000
Acquisition management	8,500,000
Emergency/hardships	1,000,000
National Fish and Wildlife Foundation	5,000,000
Total, Fish and Wildlife Service	82,655,000

The managers agree that the \$500,000 recommended for the implementation of the Silvio O. Conte Refuge Act of 1990 in the Connecticut River Basin will be used primarily to complete the planning process. The Conte refuge represents an opportunity for a new kind of wildlife refuge, one that emphasizes building on existing efforts to protect the ecosystem and on cooperative agreements between State, local, Federal agencies, private landowners, and nonprofit foundations and citizen organizations. The Department of the Interior should interpret the Connecticut River in the context of the region's cultural, geological and ecological history with the Fish and Wildlife Service and the National Park Service working in a coordinated fashion.

The appropriation for acquisition at E.B. Forsythe NWR, NJ is for tracts at Chestnut Neck, Reedy Creek, Stout Creek and Manahawkin in the Barnegat Expansion Area.

#### COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

Amendment No. 13: Appropriates \$9,000,000 for the cooperative endangered species conservation fund instead of \$9,571,000 as proposed by the House and \$8,571,000 as proposed by the Senate.

#### NATIONAL WILDLIFE REFUGE FUND

Amendment No. 14: Appropriates \$12,000,000 for the National wildlife refuge fund instead of \$11,748,000 as proposed by the House and \$13,748,000 as proposed by the Senate.

#### NORTH AMERICAN WETLANDS CONSERVATION FUND

Amendment No. 15: Appropriates \$12,000,000 for the North American Wetlands Conservation Fund instead of \$11,257,000 as proposed by the House and \$13,257,000 as proposed by the Senate.

#### NATIONAL BIOLOGICAL SURVEY

##### RESEARCH, INVENTORIES, AND SURVEYS

Amendment No. 16: Appropriates \$163,519,000 for research, inventories, and surveys instead of \$163,604,000 as proposed by the House and \$166,837,000 as proposed by the Senate.

The net change to the House position includes the following:

Increases:

Restoration of House general reduction (species biology)	\$600,000
Restoration of House general reduction (population dynamics)	600,000
Restoration of House general reduction (ecosystems)	2,500,000
Reno biodiversity initiative	1,500,000
Patuxent operations	400,000
Stuttgart, AR facility	90,000
Decreases:	
Genetics and systematics research	375,000
Endangered plant research	300,000
Population dynamics	300,000
Monitoring and inventory	500,000
Landscape functions	300,000
Large rivers	400,000
Southern forested wetlands	250,000
Ecological impacts of contaminants	250,000
Transfer to Bureau of Mines	400,000
Aquatic Gap Analysis	500,000



National Park Service inventories .....	\$500,000
Socioeconomics evaluation .....	500,000
Technical Support Center .....	200,000
Administration .....	1,000,000

The managers agree to the following:

1. Every effort should be made to keep administrative costs at a minimum. The managers do not want potential savings from consolidation of Department of the Interior research functions to be eroded by a significant growth in overhead positions; particularly important is to control the number of positions and dollars associated with Congressional and Public Affairs.

2. Money for a waterfowl survey in the Yukon-Kuskokwim NWR, AK and for Alaska marine mammal management is included within the amount provided as proposed in the budget and by the House. The managers expect the National Biological Survey to continue these activities in coordination with the U.S. Fish and Wildlife Service.

3. The Survey is to allocate \$40,000 for the research program relating to habitat and reproduction studies and possible interactions between wolves and mountain lions in and around Yellowstone National Park.

The managers have agreed to retain the Fish Farming Experimental Laboratory in Stuttgart, Arkansas, in the National Biological Survey. The managers are aware of concerns, however, that placing the Laboratory in the National Biological Survey may not be compatible with the Laboratory's legislative mandate under the Fish and Rice Rotation Act (P.L. 85-342). Because of this concern, the managers will reexamine at the end of 1994 whether the Laboratory should be located in the National Biological Survey or if the unique research mandate and mission of the Laboratory might be better served by moving the Laboratory to the Fish and Wildlife Service's Fishery Operations or to the Department of Agriculture.

Amendment No. 17: Earmarks \$162,092,000 to remain available until September 30, 1995 instead of \$162,177,000 as proposed by the House and \$155,410,000 as proposed by the Senate.

Amendment No. 18: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows: *Provided, That none of the funds under this head shall be used to conduct new surveys on private property unless specifically authorized in writing by the property owner*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree that funding for the National Biological Survey is provided only to the extent authorized by law and shall be used to continue ongoing research activities of the Department previously carried out by a variety of separate agencies within the Department. This provision is not intended to create or diminish any activity or power, whether express or implied. The funding is specifically limited in kind and scope to research and other activities expressly authorized by law.

While the managers support the goals outlined by the Secretary when he proposed creation of this new agency, i.e. to consolidate the collection and dissemination of biological information, concerns have been raised about the authorities of the new agency, particularly with respect to private property rights and the use of volunteers which

should rightly be addressed through the authorizing process which is currently ongoing. The managers encourage the appropriate authorizing committees to act promptly to clarify the mission and responsibilities of this new agency. Language is also included requiring written permission of the property owner before conducting any new surveys on private property.

The amendment also deletes Senate language regarding use of volunteers and acceptance of lands, buildings, or equipment from public and private sources.

#### NATIONAL PARK SERVICE

##### OPERATION OF THE NATIONAL PARK SYSTEM

Amendment No. 19: Appropriates \$1,061,823,000 for operation of the National park system instead of \$1,059,033,000 as proposed by the House and \$1,063,335,000 as proposed by the Senate.

Changes to the Senate distribution of funds is as follows:

##### Increases:

Resource stewardship:	
Special focus/new parks	\$1,007,000
Work force	
professionalization ...	900,000
Prototype monitoring	100,000
System level research	100,000
Carlsbad Caverns NP,	
NM .....	150,000
Everglades NP, FL .....	500,000
San Francisco Maritime NHP, CA .....	350,000
Santa Monica Mountains NRA, CA .....	310,000
Visitor services:	
Big Bend NP, TX (airplane operations) .....	125,000
Guadalupe Mountains NP, TX .....	370,000
Chamizal NMEM, TX .....	132,000
Cuyahoga Valley NRA, OH .....	1,200,000
Allegheny Portage RR, PA .....	150,000
Ft. Necessity NB, PA ..	250,000
Johnstown Flood NMEM, PA .....	100,000
Fords Theatre .....	75,000
Special Focus/New Parks .....	136,000
Maintenance: Special focus/new parks .....	714,000
Park Support: Special focus/new parks .....	155,000
Decreases:	
Cultural resources cyclic maintenance .....	844,000
Regional cyclic maintenance .....	2,474,000
Regional repair and rehabilitation .....	2,906,000
Base increase (Park support) .....	600,000
Challenge Cost Share .....	1,000,000
Poverty Point NM, LA ..	212,000
Keweenaw NHP, MI .....	300,000

The managers agree that there is no specific earmark for the Santa Fe Trail within the increase for the National Trail System and there is no earmark for the New Jersey Coastal Heritage Trail.

Within the amounts provided are the following:

1. \$350,000 for trails at Big South Fork NRA, TN.
2. \$50,000 for picnic shelters at Bighorn Canyon NRA, WY, and
3. \$40,000 for the Sterling Munro nature trail at North Cascades, NP, WA.

The managers are aware of the National Park Service's decision to remove the under-

ground commercial concession operated facilities from the concessions contract at Carlsbad Caverns National Park. The managers encourage the Secretary to revisit this issue and to ensure that adequate opportunity will continue to be provided for public input on this decision. Among the factors that should be covered upon further review are: whether the lunchroom has a negative impact on the environmental integrity of the caverns, impact on the visitor experience, and consistency with 16 U.S.C. 20.

The managers agree to review funding for Keweenaw NHP, MI during consideration of the fiscal year 1995 appropriation.

Amendment No. 20: Strikes Senate language prohibiting the National Park Service from entering into concessionaire contracts that do not include a termination for cause clause. The House had no similar provision.

Amendment No. 21: Deletes Senate provision which reallocates two natural resource management positions for wolf reintroduction to improvement of the physical infrastructure of Yellowstone NP.

The managers expect that Yellowstone National Park will receive fair consideration in the allocation of the increased funds provided for park operations in fiscal year 1994. In allocating these resources, the Park Service should address the need for balance between funds for natural resource protection and visitor services. Any increases provided for natural resource activities should be targeted towards the protection and preservation of the significant natural resources which draw so many visitors to the first established national park, and not be used for activities associated with wolf reintroduction. At the same time, the park should seek to maximize the provisions of the recently enacted Budget Reconciliation legislation related to funding for fee collection activities.

#### NATIONAL RECREATION AND PRESERVATION

Amendment No. 22: Appropriates \$42,585,000 for national recreation and preservation instead of \$35,606,000 as proposed by the House and \$43,844,000 as proposed by the Senate. The agreement also deletes the Senate earmark of \$610,000 for the Roosevelt Campobello International Park Commission. Deleting this language in no way reduces the amount available to the Roosevelt Campobello International Park Commission.

Changes to the House position include increases of \$250,000 for the National Center for Preservation Technology, \$300,000 for International Park Affairs, \$25,000 for the Maine Acadian Cultural Preservation Commission, \$750,000 for the Native Hawaiian culture and arts program, \$5,304,000 for the Wheeling National Heritage area, \$400,000 for Steel Heritage Industry technical assistance and a decrease of \$50,000 in grant administration.

The funding level includes \$5,304,000 as proposed by the Senate, for the Wheeling project. These funds are made available subject to the passage of authorizing legislation, however, in the event authorizing legislation is not enacted prior to March 30, 1994, these funds will become available at that time. In the interim period, the Park Service may provide technical assistance funds only for the Wheeling project.

#### CONSTRUCTION

Amendment No. 23: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates \$201,724,000 for construction instead of \$183,949,000 as proposed by the House and \$191,136,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree to the following distribution:

Acadia NP, ME	Restore carriage roads	1,327,000
Alaska Parks	Employee housing	5,433,000
Alaska Parks	Communication system	2,560,000
Allegheny Portage Railroad, PA	Lemon House Rehabilitation	1,930,000
Biscayne NP, FL	Equipment, exhibits, trails	3,355,000
Blackstone River Valley NHC	Massachusetts/Rhode Island	500,000
Blue Ridge Parkway, VA	Hare Mill Pond dam	450,000
Boston NHP, MA	Old South Meeting House	2,400,000
Boston NHP, MA	Dorchester Heights	700,000
Boston NHP, MA	U.S. Constitution Museum	1,900,000
Boston Public Library, MA	Rehabilitation	2,000,000
Chamizal NM, TX	Landscape, lighting	840,000
Chickamauga-Chattanooga NMP	Road relocation	3,600,000
Chickasaw NRA, OK	Campground rehabilitation	1,420,000
Colonial NHP, VA	Jones Mill Pond dam	1,000,000
Coulee Dam NRA, WA	Boat launch	416,000
Crater Lake National Park, OR	Campground expansion	150,000
Cuyahoga Valley NRA, OH	Kreji toxic waste cleanup	3,800,000
	Armington dam safety	200,000
	Rehabilitate historic structures	1,000,000
	Railroad track and bridges	2,000,000
Delaware Water Gap NRA, PA	Raymondskill Falls Development	450,000
	Bushkill Access	1,300,000
	Trail Development	195,000
Denali NPP, AK	Mountain rescue center	1,487,000
	Teklinika restrooms	2,200,000
Franklin D. Roosevelt Memorial, DC		11,000,000
Gateway NRA, NY	Great Kills Bathhouse	7,150,000
Gateway NRA, NY	Reis Park	5,200,000
Gettysburg NMP, PA	Technical assistance	100,000
Grand Canyon NP, AZ	Employee housing	6,447,000
Great Basin NP, NV	Water system	250,000
Harpers Ferry National Historic Park	Lower town	2,637,000
Hot Springs, AR	Flood Control	350,000
Ice Age Scientific Reserve, WI	Exhibits	500,000
Independence NHP, PA	Rehabilitate utility system	15,100,000
Indiana Dunes NL, IN	Long Lake Wetlands Overlook	125,000
James A. Garfield NHS, OH	Site, building restoration	1,311,000
Jean Lafitte NHP, LA	Various projects	925,000
John D. Rockefeller Parkway, WY	Relocate Flagg Ranch	700,000
Kalaupapa NHP, HI		525,000
Lackawanna Heritage Park, PA	Technical assistance	670,000
Lincoln Research Center, IL	Begin construction	3,000,000
Lincoln Home NHS, IL	Dubois House rehabilitation	709,000
LBJ Ranch NHS, TX	Exhibits	1,400,000
Martin Luther King, Jr. NHS, GA	Visitor facilities	9,982,000
Mount Rainier NP, WA	Paradise water/sewer system	1,230,000
Mount Vernon Bicycle Trail, VA	Correct safety hazards	250,000
Natchez Trace Parkway, MS	Parkway construction	4,000,000
Natchez NHP, MS	Melrose	702,000
National Capital Parks, DC	Renovate White House utilities	4,200,000
National Capital Parks, DC	Lincoln/Jefferson Memorials	5,318,000
National Center for preservation Technology, LA	Building Rehabilitation	3,350,000
New England Conservatory, MA	Jordan Hall	1,500,000
New River Gorge NR, WV		830,000
Northwest Alaska Parks	Interagency headquarters facility	1,684,000
Pacific Northwest Region	Rehabilitation projects	1,844,000
Penn Center	Rehabilitation	500,000
Port Chicago NM, CA	Memorial fabrication/construction	308,000
Salem Maritime NHS, MA	Various projects	2,120,000
Sequoia NP, CA	Replace Giant Forest facilities	6,825,000
Stones River NB, TN	Trail connector	700,000
Thomas Stone NHS, MD	Main House restoration	1,000,000
Ulysses S. Grant NHS, MO	Restore historic structures	150,000
Upper Delaware Scenic & Rec Area	Towpaths, trunkwalls	1,310,000
Upper Susquehanna Heritage, PA	Technical assistance	50,000
War in the Pacific, GU	Monument	500,000
Weir Farm NHS, CT	Rebuild historic structures	395,000
Yosemite NP, CA	Maintenance/warehouse	4,890,000
Yosemite NP, CA	Employee housing	7,595,000
Emergency and Unscheduled Housing rehabilitation		2,000,000
Planning		12,000,000
General Management Plans		28,000,000
Special resource studies		6,600,000
Strategic Planning Office		1,200,000
Offsets		400,000
		-10,321,000
Total		201,724,000

For general management plans, the managers have provided \$800,000 for the Presidio, CA as requested, \$125,000 for Weir Farms NHS, CT, \$100,000 for Organ Pipe NM, AZ, \$80,000 for Brown v. Board of Education, KS, \$81,000 for Great Egg Harbor, NJ, and \$107,000 for Stones River NB, TN.

In the category special resources studies, the managers expect the following studies to be carried out: Southwestern Camino Real and Colonial Missions, TX, NM, Golden Gate NRA (Pacifica), Hudson Valley Greenway, Rutherford B. Hayes, Virginia City, MT, Atchafalaya Basin, LA, Underground Railroad, Route 66 and Cedar Valley. No Specific dollar amount is assigned to any one special resource study in this list. Priority should be given to completion of ongoing studies before initiating new studies proposed in the budget and not identified herein. Where the House and Senate have identified the same amount for a study, the conference agreement includes the amount as provided by both Houses.

Within the planning amount, the managers agree to:

Boston NHP, MA	\$315,000
Crater Lake NP, OR	1,200,000
Glacier NP, MT (Chalet)	400,000
Jean Lafitte NPP, LA (Barataria levee)	100,000
Zion NP, UT (transportation plan)	360,000
Olympic NP, WA (Elwha dam)	2,800,000
Buffalo River, AR (boundary study)	200,000
Fort Necessity NB, PA	775,000
James A. Garfield NHS, OH	210,000
Thomas Stone NHS, MD	150,000
Cuyahoga Valley NRA, OH	515,000
San Antonio Missions NHP, TX (exhibits)	30,000

Within the money set aside for emergencies, \$300,000 is for emergency repairs at the Glacier NP, MT chalets.

The managers are concerned about cost estimates in excess of \$150,000,000 related to the removal of the Elwha dam. The Department of the Interior is urged to look at the ultimate benefits from removal of the dam to determine whether the money spent removing the dam would result in a better return for natural systems that spending the same amount of money on other natural resource restoration projects.

The managers understand that a land acquisition program for the San Antonio Missions National Historical Park is currently underway, and that the Park's visitor center is scheduled to be completed in July 1995. The managers urge the National Park Service to request funding for exhibits and media production at the Visitor Center as part of its fiscal year 1995 budget request.

The offset of \$10,321,000 includes \$4,100,000 from the Denali NP, AK hotel, \$4,377,000 from the Keith Albee Theater restoration and \$1,844,000 from A Walk on the Mountain.

The amount provided for Salem Maritime NHS, MA includes the following:

Central wharf site improvements	\$1,360,000
St. Joseph's Polish Club rehabilitation	250,000
Armory visitor center audio visual equipment	235,000
Education programs outreach	75,000
Project administration/archeology	125,000
Technical assistance	75,000
Total	2,120,000

The managers are aware of a commitment by the Lassen Volcanic National Foundation to provide a 50% match of Federal funds for a visitors center at Lassen Volcanic National Park and will give every consideration to providing the Federal share in fiscal year 1995.

The managers request that the Park Service give consideration to the visitor facility needs at Fort Necessity NB, PA in the development of the fiscal year 1995 budget request.

The construction program of the National Park Service is of particular concern. Cost estimates continue to be unreliable. Projects seem to develop and expand with no thought given to the budget climate or their relationship to the overall mission within the National Park system. The priority system for rating park development projects is undecipherable and of no use to decisionmakers in weighing the merits of one project against another. The National Park Service needs to reconfigure its priority system so that more objective criteria are used and the overall needs of the system are taken into account. Further, while the managers appreciate the Park Service's commitment to high quality standards, these standards must be maintained within realistic fiscal constraints. The Park Service must begin looking at construction projects as we would our own budgets, i.e. is there a lower cost alternative that will serve the mission of the agency as well as the individual park unit. This issue is also addressed in Amendment No. 55.

Amendment No. 24: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment insert: \$4,377,000 to be derived from amounts made available under this head in Public Law 1201-512 as a grant for the restoration of the Keith Albee Theatre in Huntington, West Virginia, and \$1,844,000 to be derived from amounts made available under this head in Public Law 102-381 for a pedestrian walkway and interpretive park (A Walk on the Mountain): Provided, That \$2,000,000 for the Boston Public Library and \$500,000 for the Penn Center shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: Provided further, That of the funds provided under this heading, not to exceed \$350,000 shall be made available to the City of Hot Springs, Arkansas, to be used as part of the non-Federal share of a cost-shared feasibility study of flood protection for the downtown area which contains a significant amount of National Park Service property and improvements: Provided further, That notwithstanding any other provision of law a single procurement for the construction of the Franklin Delano Roosevelt Memorial may be issued which includes the full scope of the project: Provided further, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.323.18: Provided further, That for the purpose of performing an environmental impact statement (EIS) on the Paseo del Norte alignment, the National Park Service's proposed Calabacillas alternative road alignment, and any other alternative routes in association with the Petroglyph National Monument in Albuquerque, New Mexico \$400,000 are to be allocated to the City of Albuquerque to perform the EIS, only in the event that the City of Albuquerque and the National Park Service reach



mutual agreement, within 75 days of the date of enactment of this Act, on the conditions that must be met for the study, such funds to be derived by transfer from balances available in the "Land acquisition and State assistance" account, National Park Service: Provided further, That \$1,500,000 for the New England Conservatory shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a upon designation as a National Historic Landmark.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment restores House language stricken by the Senate regarding the Boston Public Library, derives money for Penn Center from the Historic Preservation Fund, inserts a Senate provision regarding a Hot Springs, Arkansas flood study amended to include \$350,000 rather than \$450,000 as proposed by the Senate and inserts a Senate provision providing for a single procurement for the construction of the Franklin Delano Roosevelt Memorial.

The amendment also offsets the construction appropriation by \$4,377,000 with funds appropriated in P.L. 101-512 for the Keith Albee Theatre, provides \$1,500,000 for the New England Conservatory if it is designated a National Landmark and establishes conditions for transfer of \$400,000 to the City of Albuquerque for an environmental impact statement for a road either through or in the vicinity of Petroglyph NM.

#### URBAN PARK AND RECREATION FUND

Amendment No. 25: Appropriates \$5,000,000 for the Urban park and recreation fund as proposed by the House. The Senate had no similar provisions.

#### LAND ACQUISITION AND STATE ASSISTANCE

Amendment No. 26: Appropriates \$95,250,000 for land acquisition and State assistance instead of \$89,460,000 as proposed by the House and \$95,587,000 as proposed by the Senate.

The managers agree to the following distribution:

Acadia NP, ME .....	\$3,500,000
Alaska National Park	
Areas .....	1,500,000
Appalachian Trail .....	6,000,000
Big Cypress NP, FL .....	3,000,000
Big South Fork WSR, TN ..	1,500,000
Brown V. Board of Education NHS, KS .....	175,000
Cape Cod NS, MA .....	825,000
Everglades NP, FL .....	3,000,000
Gettysburg NMP, PA .....	1,000,000
Golden Gate NRA	
(Phleger), CA .....	5,250,000
Indiana Dunes NL, IN .....	1,000,000
Kalaupapa NHP, HI .....	600,000
Little River Canyon NP, AL .....	6,000,000
Martin Luther King Jr NHS, GA .....	1,000,000
Mary McLeod Bethune House NHS, DC .....	635,000
Monocacy NB, MD .....	2,000,000
National Park of Samoa ..	300,000
Nez Perce NHP, OR .....	300,000
Palo Alto NB, TX .....	500,000
Pecos NM, NM .....	500,000
Petroglyph NM, NM .....	3,500,000
Saguaro NM, AZ .....	6,000,000
Salt River Bay NHP, VI .....	3,000,000
Santa Monica Mtns NRA, CA .....	4,000,000
Inholdings, Emergencies, Hardships .....	3,865,000
Acquisition Management ..	8,247,000
Subtotal, Federal acquisitions .....	67,197,000
Assistance to States:	
Matching grants .....	24,750,000

Administrative expenses .....	\$3,303,000
Subtotal, Assistance to States .....	28,053,000
Total, National Park Service .....	95,250,000

Money for the Appalachian Trail may be used for acquisitions in the Sterling Forest as long as it is in accord with the revised Appalachian Trail plan.

Paramount Ranch, Broome Ranch and properties in Zuma and Trancas Canyons, along the Backbone Trail and in Upper Topango Canyon are the only areas to which the \$4,000,000 for Santa Monica Mountains NRA is to be applied.

#### ADMINISTRATIVE PROVISIONS

Amendment No. 27: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows the National Park Service to recover all costs of providing necessary services associated with special use permits, such reimbursements to be credited to the appropriation current at that time. The House had no such provision.

Amendment No. 28: Deletes House provision which limits overtime pay to any one individual employee of the United States Park Police to no more than \$20,000 per year. The managers will continue to monitor overtime to assure that it is not excessive.

#### UNITED STATES GEOLOGICAL SURVEY

##### SURVEYS, INVESTIGATIONS, AND RESEARCH

With regard to the coastal program, the managers recommend \$10,900,000. The differences from the House amounts are increases of \$100,000 for Lake Pontchartrain pollution studies and \$300,000 for coastal erosion and pollution studies in Hawaii, and decreases of \$100,000 for fundamental studies and \$300,000 for west central Florida erosion studies.

In addition to the funds specified in the coastal program for San Francisco Bay and the Florida Keys, the managers understand that funds from the marine portion of the program have also been allotted in support of these coastal studies for a total program of \$1,600,000 in San Francisco Bay and \$650,000 in the Florida Keys. These studies should be carried out according to the National Coastal Geology Program plan submitted to Congress earlier this year.

##### MINERALS MANAGEMENT SERVICE

##### LEASING AND ROYALTY MANAGEMENT

Amendment No. 29: Appropriates \$193,197,000 for leasing and royalty management as proposed by the House instead of \$192,897,000 as proposed by the Senate. There are two changes within the House-recommended amount. Environmental studies in the Outer Continental Shelf (OCS) lands activity are increased by \$100,000 and Federal audits in the royalty management program are decreased by \$100,000.

The managers agree that staffing reductions should not be applied to the Federal audit program and related activities, and expect the Minerals Management Service to ensure that contract buyout and buydown audits are addressed as quickly as possible. Staffing reductions also should be minimized in the environmental studies program. The managers suggest that the international program be examined for staffing reductions.

The managers do not object to the reprogramming of funds up to the Senate-recommended level for environmental studies from the OCS lands and general administra-

tion accounts to the extent such funds become available in fiscal year 1994. In particular, the headquarters OCS component should be reviewed as a potential reprogramming source.

Amendment No. 30: Earmarks \$65,796,000 for royalty management activities instead of \$65,896,000 as proposed by the House and \$64,896,000 as proposed by the Senate.

#### OIL SPILL RESEARCH

Amendment No. 31: Appropriates \$5,331,000 for oil spill research as proposed by the Senate instead of \$5,681,000 as proposed by the House.

#### BUREAU OF MINES

##### MINES AND MINERALS

Amendment No. 32: Appropriates \$169,436,000 for mines and minerals instead of \$169,336,000 as proposed by the House and \$171,584,000 as proposed by the Senate. The changes to the House position include increases of \$200,000 in health, safety and mining technology for respirable dust control; \$200,000 in environmental technology, abandoned mine reclamation, for constructed wetlands research; and, in mineral institutes, \$200,000 for the generic center for respirable dust, \$75,000 for the marine minerals technology center, and \$125,000 for the National mine land reclamation center. The increases are partially offset by decreases of \$500,000 in minerals and materials science for materials research at the Idaho National Engineering Laboratory and \$200,000 in environmental technology, control of mine drainage and liquid wastes, for constructed wetlands research.

No new funding has been provided for Western arctic coal research. The fiscal year 1993 funding for arctic coal research has not been expended and is available for research in fiscal year 1994. The siting and permit issues which caused the delay in project initiation recently have been resolved by the Bureau. The managers expect the Bureau to budget for needed ongoing research on arctic coal mining in future fiscal years.

The managers are concerned that insufficient emphasis is being placed on acid mine drainage research within the Department. Acid mine drainage continues to be a major problem at active and abandoned mine sites. This year the managers have become aware of two major watershed problems caused by acid mine drainage; one involving the Casselman River in Pennsylvania and the other affecting the Pitt Creek watershed in Oklahoma. The managers expect the Bureau of Mines to provide technical assistance in each of these areas to help characterize the extent of the problem and identify alternative solutions. For Casselman River, the Bureau should work with the Casselman River Task Force which was established to address the acid mine drainage in that area. For Pitt Creek, the Bureau should work with all interested parties, including the University of Oklahoma which has done some research into the problem. The managers urge the Department to support the development of a systematic approach to acid mine drainage characterization and technology development research within the Bureau. Such an approach will be far superior to the current piecemeal approaches being explored on a site by site basis. The managers expect the Bureau's fiscal year 1995 budget to include a strategic long-range plan for acid mine drainage research, with sufficient funds to execute year one of that plan in fiscal year 1995.

The managers expect the Department to examine the coordination among the Bureau

of Mines, the Minerals Management Service, and the U.S. Geological Survey on their marine minerals programs. In its March 1, 1994 report to the Committees on the advisability of transferring the marine minerals technology center to MMS, the Department should report on its plan to improve coordination and to ensure there is no duplication among the various marine minerals programs.

Amendment No. 33: Earmarks \$105,163,000 to remain available until expended for research programs instead of \$105,063,000 as proposed by the House and \$107,311,000 as proposed by the Senate.

#### OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

##### ABANDONED MINE RECLAMATION FUND

There are two changes within the House-recommended amount for the abandoned mine reclamation fund. In the Federal reclamation program high priority projects in non-program States and on Federal and Indian lands are decreased by \$250,000, and the rural abandoned mine program is increased by \$250,000.

Amendment No. 34: Deletes House language stricken by the Senate requiring that 16 full-time equivalent positions are maintained in the Wilkes-Barre, PA field office.

#### BUREAU OF INDIAN AFFAIRS OPERATION OF INDIAN PROGRAMS

Amendment No. 35: Appropriates \$1,490,805,000 for operation of Indian programs instead of \$1,492,650,000 as proposed by the House and \$1,489,885,000 as proposed by the Senate. The decrease from the amount proposed by the House consists of decreases of \$2,300,000 for tribal priority allocations; \$2,350,000 for non-recurring programs, including decreases of \$300,000 for Cheyenne River Sioux prairie dog management (leaving \$1,200,000) and \$2,300,000 for water rights negotiation/litigation, and an increase of \$250,000 for attorneys' fees; \$1,600,000 under Area Office operations; including \$1,500,000 for child protection centers and a \$100,000 general reduction; and a net increase of \$2,555,000 for other recurring programs, including increases of \$1,000,000 for contract support, \$1,400,000 for new tribes funding for the Catawba Tribe of SC, \$250,000 for the Navajo Community College, and \$905,000 for resources management, and a decrease of \$1,000,000 for education facilities O&M; and a net increase of \$1,850,000 for Central office operations, including decreases of \$250,000 for land records management and a \$300,000 general reduction, and increases of \$75,000 for the Office of the Commissioner, \$1,000,000 for emergency management improvements, \$75,000 for CFO Act implementation, \$200,000 for contract management, \$300,000 for financial management, \$200,000 for construction management, \$200,000 for ADP support, \$250,000 for education program management and \$100,000 for the Joint Commission on Alaska Natives.

The net increase of \$905,000 over the House for other recurring programs, resources management consists of the following changes from the House amounts:

Activity	Change
Irrigation O&M .....	+\$300,000
Bison initiative .....	-100,000
Native American Fish & Wildlife Society .....	-50,000
Shellfish management .....	-200,000
Great Lakes Indian Fish & Wildlife Commission .....	-100,000
Chippewa-Ottawa Treaty Fisheries Mgt. Auth .....	-25,000
Pacific Salmon Commission .....	-100,000

Activity	Change
Skagit Systems Cooperative .....	-\$25,000
Timber-fish-wildlife .....	+100,000
Klamath conservation .....	+200,000
Summit Lake hatchery .....	+85,000
Bering Sea Fishermen .....	+800,000
Pyramid Lake Tribe .....	+20,000
Total .....	+905,000

The amount included for Bering Sea Fishermen includes \$500,000 for upgrades of salmon restoration and hatchery enhancement facilities and \$300,000 for salmon monitoring and research programs. No funds are included for fish handling equipment and facilities or for commercial marketing. The Fishermen's Association is encouraged to apply for business development grants or community economic development grants for these activities.

The managers have provided \$20,000 for the Pyramid Lake Tribe for the payments of fees related to the tribe's water settlement. These funds are provided on a one-time basis only, and the managers expect that all future funds related to the settlement will be provided from the tribe's settlement funds.

The amount included for timber-fish-wildlife is one-time funding only, for tribal activities related to the Pacific NW Forest Plan in 1994. The base amount for this initiative will remain at the 1993 level.

The managers understand the need for all Federal agencies with jurisdiction over Washoe Indian Reservation lands to work with the Tribe to enter into cooperative agreements, make efforts to cross train officers and to make other arrangements necessary to improve law enforcement capabilities. Further, the Bureau of Indian Affairs should work with the Washoe Tribe to coordinate Federal assistance and ensure that much needed cooperative agreements are implemented promptly and properly.

The managers have agreed to a total funding level of \$7,002,000 for the Division of Accounting Management under Central Office operations. The managers agree that the Bureau may fill the additional positions needed in the Division to the extent funds can be made available within this total, including funds from savings in other parts of the Division's budget, such as travel and contractual services. Total spending for the Division for the fiscal year should be carefully monitored so that it does not exceed the above amount.

The managers have agreed to a total of \$91,223,000 for contract support, which includes \$6,415,000 for the self-governance tribes. Bill language proposed by the Senate earmarking the total amount available in 1994 has been modified to authorize payments of contract support shortfalls from previous years, based on amounts agreed to by tribes and the Inspector General's Office. Since making these prior year payments will reduce the amount of funds available for fiscal year 1994 contract support costs, the Bureau is directed to allocate funding in such a manner throughout the year that all tribes will be treated the same if there is a shortfall in contract support funds by the end of the year. The managers remain very concerned about the continued growth in contract support costs, and caution that it is unlikely that large increases for this activity will be available in future years' budgets. It is also a concern that significant increases in contract support will make future increases in tribal programs difficult to achieve. The managers believe the Bureau should look at establishing a self-determination fund for new or expanded contracting in

the 1995 budget. The Bureau should also work with the tribes on possible methodologies for establishing advance notification requirements for new contracting.

For education, daily attendance should be taken at Bureau-funded schools for the 1993-1994 school year. Daily attendance information should be consolidated at the agency/area level and reported to the Office of Indian Education Programs. The Bureau should submit quarterly reports which include monthly data on enrollment, daily attendance, and the attendance rate. Staffing statistics on instructional, support or administrative positions should be reported after the first and fourth quarters, and should include student-to-staff ratios. The Bureau should also submit by November 15, 1993 a list of schools whose student enrollment warrants an immediate review because of variances in student counts from the previous school year. Information should also include the schedule of ISEP (Indian School Equalization Program) reviews.

Statistical information should be provided on the number of students who transfer in or out of BIA-funded schools or non-BIA schools, or have dropped out. In order to track transferring students, the Bureau should use Social Security numbers, which are required as identification numbers in other Federally-funded programs. The initial quarterly report should be submitted in January, 1994.

The managers are aware of efforts by the Department and Bureau to review the ISEP formula. The managers expect the Department and Bureau to work closely together on this effort, and expect the Department and Bureau to submit a plan for the review prior to initiating any agreements with any non-Departmental entities. The plan should specifically identify all individuals involved and the costs for the review. Costs should include, among other items, travel, personnel, and contract/agreement costs. The managers have not provided any funding specifically for this purpose and expect that a reprogramming will be submitted if the total funds required for the review exceed \$250,000.

School operations funding has been provided on the basis of the 185 schools included in the fiscal year 1994 budget request. Any additional schools for which the Bureau receives applications should be funded only after funding has been requested for those schools.

The managers agree that self-governance shortfall funds may continue to be used for planning grants, if needed, and the Lummi education project in 1994. The report requested by the Senate on staffing and funding by area, and levels of contracting, should be provided by April 1, 1994.

The managers have included an increase of \$250,000 for attorneys' fees, and expect the Bureau to give priority consideration to a request for fees from Alaska Legal Services.

With regard to new tribes funding for the Tillie Hardwick tribes, and managers understand that the tribes have agreed on a distribution methodology, not based on population size.

The Catawba Tribe is expected to follow established procedures for obtaining funding for newly Federally-recognized tribes.

Within water rights negotiation funding, up to \$480,000 is to be provided to the Skokomish Tribe for activities related to Cushman Dam, and up to \$500,000 each is to be provided for the Klamath water rights adjudication and the Pyramid Lake economic development plan. Under real estate, \$250,000 is provided to continue the Yurok Cadastral Survey.



Within water resource planning, \$347,000 is included for the Muckleshoot Tribe.

With regard to trust funds management, the managers understand the Special Projects Team (SPT) has been incorporated into the Office of Trust Funds Management (OTFM). The managers intend for all staff of the SPT to report to and be under the supervision of the director of OTFM. The managers reiterate the importance of all personnel in the Department and the Bureau ensuring that all required notifications, consultations, and/or approvals are undertaken or received prior to proceeding with future organizational changes. With regard to systems development efforts, the managers expect the Department and Bureau to work with GAO to identify existing systems that could be used for trust funds management, rather than proceeding with any new systems development efforts.

The managers expect that \$500,000 will be provided for activities of the Joint Reorganization Task Force and an additional \$350,000 will be provided from Central Office funds in 1994 for continued development of the Tribal Budget System. Additional funds should be made available, if needed, to develop proposals aimed at streamlining workload and moving resources to the tribe or agency level. Any excess funds from those budgeted for the Planning Office may be used for this purpose. The managers understand that the funding for the Task Force includes funding for travel and activities of members of the Task Force only. Funding for travel and other activities for participants of Task Force activities who are not members of the Task Force comes from funding provided to the various programs of the Bureau. The managers expect the Bureau to work with the Task Force in developing the preliminary assessment of funding levels and inequities, and methods of distribution for equity funding in the future. The managers approve the process recommended by the Task Force for moving programs from other recurring programs to tribal priority programs based on tribal requests.

The report on the plan to downsize Central Office operations of the Bureau shall be submitted to the Committees by April 1, 1994.

The Bureau should re-examine its plans for the gaming staff and where it should be located, in line with the revised Indian Gaming legislation.

Under education, if the Bureau is not able to use all of the budgeted funds for early childhood education, such funds should be used for other school operations activities, such as the ISEP formula or transportation, as needed.

The Bureau should not shift any uncollected operation and maintenance charges at the Wapato irrigation project onto fee lands to cover revenue shortfalls from other non-paying land within the project. However, this does not preclude future operations and maintenance rate adjustments as may be determined necessary and consistent with applicable law, regulation and policy. The Department and Bureau should ensure that any rate adjustments are carried out in an equitable manner among all water users served by the project.

The managers agree that \$200,000 is provided for the Summer Institute administered by the American Indian Law Center at the University of New Mexico.

Funding to complete the fire fuel break project around Glenallen, Alaska, is provided through the Bureau of Land Management fire protection program.

Within the funds provided for law enforcement under tribal priority allocations, tran-

sitional funding is provided for the Sac and Fox detention center.

Bill language has been included directing the Bureau to form a Joint Task Force with Alaska Natives and the State of Alaska to determine what role the Bureau should play with regard to Alaska's rural schools and Alaska Native education, and what other resources might be identified to assist the educational program of these schools. Among other issues, the task force, with the membership as specified in the Senate report, should look at ways of improving educational achievement, including the use of telecommunications technology, and initiatives aimed at cultural preservation, health education and parenting education.

Consistent with the Administration's efforts to reduce unnecessary administrative expenditures, the Bureau should closely monitor travel costs. The managers have not imposed a funding limitation on travel. However, the managers expect the Central Office program managers, area office directors, and agency directors to review carefully meeting agendas where travel is required to ensure that meetings are centrally located and attendance is limited to essential personnel. Meetings should be organized to limit the amount of time that attendees are away from their normal work assignments to avoid disruption in services provided by the Bureau. To the extent possible, travel should be restricted for programs where funding shortfalls may occur. The Bureau should submit a list of all nationwide or area-wide meetings or conferences planned for 1994 including location, number and description of attendees, and expected costs by November 1, 1993. An updated list, including actual costs incurred to date, should be submitted to the Committees by April 1, 1994.

Amendment No. 36: Provides \$49,226,000 for housing and road maintenance programs as proposed by the Senate instead of \$52,582,000 as proposed by the House.

Amendment No. 37: Provides \$1,983,000 for litigation support as proposed by the House instead of \$2,483,000 as proposed by the Senate.

Amendment No. 38: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert the following: *Provided further, That of the amount appropriated under this head in Public Law 102-381, any unobligated balance as of September 30, 1993 related to the Alaska Native Claims Settlement Act shall remain available until expended and may be obligated under a grant to the Alaska Native Foundation for education, training, and technical assistance to Alaskan village corporations for reconveyance requirements*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The language will allow remaining fiscal year 1993 Alaska Native Claims Settlement Act funds, not to exceed \$250,000, to remain available as a grant to the Alaska Native Foundation for assistance to Alaskan village corporations.

Amendment No. 39: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert: *Provided further, That not to exceed \$91,223,000 of the funds in this Act shall be available for payments to tribes and*

*tribal organizations for indirect costs associated with contracts or grants or compacts authorized by the Indian Self-Determination Act of 1975, as amended, for fiscal year 1994 and previous years.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers have agreed to language which limits the amount for indirect costs associated with contracts, grants and compacts to \$91,223,000, and provides this amount for such costs incurred in 1994 and shortfall amounts from previous years. This matter is discussed in more detail under Amendment No. 35.

Amendment No. 40: Deletes Senate proposed language which addressed eligibility of Alaska Native villages for Indian roads program funding. The House had no similar provision. Based on written and oral confirmation that the BIA has provided, the managers understand that certain road projects in Craig, AK are in fact eligible to seek funding as Indian roads.

Amendment No. 41: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which includes all Indian reservation roads identified in the 1990 BIA Juneau Area Transportation Study in the BIA system for distribution of highway trust fund formula funds in fiscal year 1994. The provision will expire when the new BIA formula is implemented. The managers intend for any road funds distributed to the Juneau Area under this provision, or to any other area, which cannot be obligated in fiscal year 1994 to be redistributed to other areas which can obligate the funds by the end of the fiscal year.

Amendment No. 42: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides for review and approval of reorganization proposals by the Task Force on Bureau of Indian Affairs Reorganization and the Committees on Appropriations. The House had no similar provision.

Amendment No. 43: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that funds appropriated for tribally-controlled community colleges distributed prior to September 30, 1994 and invested under current law are deemed to be in compliance with Title III of the Tribally Controlled Community Colleges Assistance Act. The House had no similar provision.

#### CONSTRUCTION

Amendment No. 44: Appropriates \$166,979,000 for construction instead of \$172,799,000 as proposed by the House and \$150,429,000 as proposed by the Senate. The decrease from the amount proposed by the House consists of increases of \$700,000 under tribal government for contract support, \$180,000 under general administration for Cow Creek Band of Umpquas land acquisition, and \$1,450,000 for Bennett Freeze housing improvements; and decreases of \$2,000,000 under education for advance planning and design, \$4,000,000 under public safety and justice for the Sac and Fox detention center, and a net decrease of \$2,150,000 under resource management. This net decrease consists of increases of \$1,900,000 for Colorado River tribes irrigation project, \$200,000 for Hogback irrigation project, \$650,000 for Walker River irrigation project, and decreases of \$4,300,000 for the Navajo Indian irrigation project and \$600,000 for the San Carlos irrigation project.

Of the amount provided for the Walker River project, \$150,000 shall be used only for the tribal cost share of water monitoring by the U.S. Geological Survey.

The study requested in the House report on the possibility of establishing a construction/lease program and related legislative and administrative changes that would be required, should also address how the number of such facilities and related funding would be controlled were such a program to be implemented.

The managers have provided an additional \$4,000,000, to allow completion of the Chinle detention center, and have agreed to funding of \$4,000,000 included in the budget to allow the Sac and Fox detention center to begin construction in 1994. The Bureau should include funding to complete the Sac and Fox facility in the fiscal year 1995 budget.

The BIA should work with the State of Alaska Task Force on Rural Bulk Fuel Storage on issues related to aging fuel storage tanks in Alaska Native communities. The BIA should determine the ownership and responsibility for the storage tanks and submit a report on the cost of replacing the leaking tanks by October 1, 1994.

The managers have agreed to provide \$1,450,000 for Navajo housing improvements in the Bennett Freeze area. The managers have approved this one-time funding earmark to address some of the most pressing needs in the Bennett Freeze area. The funds are to be used to make repairs and renovations to existing homes. In cases where a home is determined to be unsafe or too deteriorated to repair or renovate, a replacement home may be built and the existing structure demolished. The managers encourage the tribe and the BIA to complete a survey of the housing needs in the Bennett Freeze area and to incorporate the results of the survey into existing funding mechanisms through the Bureau and other Federal agencies. To the extent the needs in the Bennett Freeze area greatly expand the existing backlog, increased funds should be requested in future budget requests for existing programs.

The managers note that the Hopi Tribe has appealed the court decision on the Bennett Freeze. The inclusion of funds for housing repairs is not intended in any way to jeopardize or take a position on that appeal.

Amendment No. 45: Deletes Senate proposed language that would have made funds provided previously or hereafter for the Wind River Irrigation Project non-reimbursable. A Solicitor's opinion from April, 1992 confirmed that legislation dating to 1905 made construction costs for the project reimbursable, and the tribes involved should seek a review by the appropriate authorizing committees of whether this designation should be changed.

#### TERRITORIAL AND INTERNATIONAL AFFAIRS ADMINISTRATION OF TERRITORIES

Amendment No. 46: Appropriates \$81,907,000 for administration of territories instead of \$82,107,000 as proposed by the House and \$81,457,000 as proposed by the Senate. The decrease from the amount proposed by the House consists of \$200,000 for American Samoa, \$100,000 each from operations and construction grants.

Amendment No. 47: Provides \$77,369,000 for technical and maintenance assistance, disaster recovery and grants instead of \$77,569,000 as proposed by the House and \$76,869,000 as proposed by the Senate. The decrease of \$200,000 under the amount proposed by the House is discussed under Amendment No. 46.

Amendment No. 48: Provides \$4,538,000 for the Office of Territorial and International

Affairs as proposed by the House instead of \$4,588,000 as proposed by the Senate.

Amendment No. 49: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which adds a reference to any subsequent legislation related to Commonwealth of the Northern Mariana Islands covenant grant funding. In the absence of authorizing legislation providing differently, the managers intend for all covenant grant funding in fiscal year 1994 to be used for capital development projects only, and none to be used for government operations, and all such funds shall be subject to the Northern Marianas providing appropriate matching funds as determined by the Secretary of the Interior. All capital improvement funding shall be subject to applicable Federal grant regulations. In addition, of the \$27,220,000 included in the Act, \$3,000,000 should be made available for the American War Memorial Park, pursuant to an agreement between the Northern Marianas and the Secretary of the Interior regarding a new monument, wayside exhibits and definition of the park entrance and boundaries, and after consultation with the American Battle Monuments Commission.

Amendment No. 50: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides for the program of operations and maintenance improvement in the territories, the Northern Mariana Islands, Palau, and the Freely Associated States. The House has no similar provision.

Amendment No. 51: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that disaster assistance funds may be used as non-Federal matching funds for Federal Emergency Management Administration grants. The House had no similar provision.

#### TRUST TERRITORY OF THE PACIFIC ISLANDS

Amendment No. 52: Appropriates \$23,838,000 for the Trust Territory instead of \$24,038,000 as proposed by the House and \$23,338,000 as proposed by the Senate. The decrease from the amount proposed by the House consists of a decrease of \$59,000 for Trust Territory administration and a net decrease of \$141,000 for Republic of Palau operations, including an increase of \$59,000 for the Weather Service and a decrease of \$200,000 for the operations grant.

The managers agree technical assistance funds should be provided to Palau for political education and other costs related to the referendum scheduled for November, based on a request from the Government of Palau.

The managers understand additional funds of up to \$700,000 may be required for the Koror-Babeldaob bridge project. If the Department agrees with the new estimates, there is no objection to reprogramming other available capital improvement funds to the bridge project.

Amendment No. 53: Provides \$18,464,000 for operations of the Government of Palau instead of \$18,605,000 as proposed by the House and \$17,964,000 as proposed by the Senate. The decrease of \$141,000 from the amount proposed by the House is discussed under Amendment No. 52.

#### DEPARTMENTAL OFFICES

##### OFFICE OF HEARINGS AND APPEALS

The Office of Hearings and Appeals is expected to review the recommendations asso-

ciated with the Fish Alaska, Inc. equitable claim arising from Fish and Wildlife Service actions in the Togiak National Wildlife Refuge and report to the Committees no later than March 1, 1994.

#### ECOSYSTEM RESTORATION FUND

Amendment No. 54: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which appropriates \$7,000,000 to an ecosystem restoration fund to implement the President's Forest Plan for "Jobs in the Woods" ecosystem restoration in Northern California, Washington, and Oregon. The appropriation provides that the Secretary may transfer these funds to the Bureau of Land Management, the United States Fish and Wildlife Service and the Bureau of Indian Affairs for implementation. The House made no such appropriation.

The managers direct that none of the funds be used for rural community assistance, as funds for that purpose are contained in Forest Service appropriations.

The managers further agree that in future budget requests, funds for activities covered by this account should be requested in the regular agency appropriations accounts.

The managers encourage the Department of the Interior to give consideration to initiating a Wildstock Restoration Initiative in the State of Washington within Fish and Wildlife Service activities in the Ecosystems Restoration Fund.

#### CONSTRUCTION MANAGEMENT

##### SALARIES AND EXPENSES

Amendment No. 55: Appropriations \$2,394,000 for construction management instead of \$2,494,000 as proposed by the House and \$2,194,000 as proposed by the Senate.

Given the current budget climate, dollars will continue to be constrained for the foreseeable future. One continuing drain on the funds needed to operate and maintain the public lands and their facilities is the pressure to continue to develop new and in many cases needed visitor and other facilities. The managers are concerned about their ability to meet the growing operations needs and address the capital improvement needs on the public lands.

The managers recommend that a task force be established under the leadership of the Assistant Secretary for Policy, Management and Budget to review the Department's construction programs for BLM, FWS and the NPS. This team should include a representative from each of the three agencies as well as a representative from the Assistant Secretary's office. The managers recommend that the task force consider all options for restructuring the construction program including a consolidated approach to Department construction operations. This may include a recommendation that Denver Service Center operations be discontinued with more responsibilities handled in the regional offices or in the parks where appropriate. The team should also consider ways to build incentives into the system so that all parties, including Denver, the regions and the parks control project costs and scope. This may include the use of more localized architects and engineers and construction project managers.

In reviewing the construction programs the managers recommend the task force review methods of controlling the costs and scope of construction projects. Particularly with respect to larger projects, it may be feasible and advisable for the agencies to provide a range of alternatives for meeting



the management objective. It is also recommended that the general management planning process be reviewed for it is at this point that many of the expectations for development first become established.

**NATIONAL INDIAN GAMING COMMISSION  
SALARIES AND EXPENSES**

Amendment No. 56: Appropriates \$1,000,000 for the National Indian Gaming Commission as proposed by the House instead of \$1,500,000 as proposed by the Senate.

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

Amendment No. 57: Deletes House provision prohibiting the use of funds in the Act for accepting and processing applications for patents and on patenting Federal lands under the general mining laws, as proposed by the Senate. Legislation dealing with this issue is under active consideration in the Congress.

Amendment No. 58: Deletes House provision providing exceptions to the limitations contained in Amendment No. 57, as proposed by the Senate.

Amendment No. 59: Deletes House provision prohibiting the use of funds for operation and support of Grazing Advisory Boards, as proposed by the Senate. Grazing Advisory Boards are addressed in Amendment No. 123.

Amendment No. 60: Deletes Senate provision which prohibited an increase in entrance fees at the Blackwater National Wildlife Refuge, Maryland. The managers understand that the Department has agreed not to increase these fees in fiscal year 1994.

The managers are aware of concerns that the proposed fee increases at Blackwater may have resulted in a fee level incompatible with fees charged at other nearby non-Federal facilities and may have had an adverse impact on visitation to the refuge. The managers expect the Fish and Wildlife Service to examine expanding the number of refuges in the fee collection program, implementing more effective methods of fee collection at refuges that are not recovering their expenses, or shifting the burden more to commercial users of the refuges, before considering proposals to increase entrance fees at Blackwater.

Amendment No. 61: Deletes Senate provision prohibiting the use of funds to implement an agreement between the Secretary of the Interior and Save Our Cumberland Mountains, Inc. (SOCM). The Secretary has assured the managers that the Department will not execute a new agreement with SOCM but will implement through directives, memoranda of understanding, and rulemaking those principles from the draft agreement needed to ensure sound government policy. The managers expect the Department and the Office of Surface Mining Reclamation and Enforcement to follow appropriate rulemaking procedures and to solicit and objectively consider the comments of all interested parties prior to implementing any policy changes. In particular, the States should be consulted fully on any changes to the operation and maintenance of the Applicant Violator System.

Amendment No. 62: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Retain the matter inserted by said amendment, amended as follows:

In lieu of the first section number named in said amendment, insert: 114

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment deems the holder of permit LP-GLBA005-93 to be a person who, on or before January 1, 1979, was engaged in adequately providing visitor services of the type authorized in the permit within Glacier Bay National Park.

**TITLE II—RELATED AGENCIES  
DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
FOREST RESEARCH**

Amendment No. 63: Appropriates \$193,083,000 for forest research as proposed by the House instead of \$192,983,000 as proposed by the Senate. Within this amount, there is an increase of \$300,000 over the amount proposed by the House for resource analysis, for the Southwestern forestry research program; and a decrease of \$300,000 under forest management research, for the Washington Forest Landscape Management Project.

**INTERNATIONAL FORESTRY**

Amendment No. 64: Deletes the International Forestry account as proposed by the Senate. This account is addressed under amendment No. 67.

**STATE AND PRIVATE FORESTRY**

Amendment No. 65: Appropriates \$168,107,000 for State and private forestry instead of \$148,955,000 as proposed by the House and \$169,107,000 as proposed by the Senate. The increase over the amount proposed by the House consists of decreases of \$1,000,000 for forest pest management, \$2,478,000 for the stewardship program, \$2,068,000 for stewardship incentives/tree planting, \$1,000,000 to urban forestry, and \$250,000 to Northern forest lands study; and increases of \$1,000,000 for rural development in the Northeast and Midwest, \$500,000 for seedlings and nurseries, \$10,000,000 for community assistance and \$5,000,000 for old growth diversification related to the Pacific Northwest Forest Plan, \$6,948,000 for Forest Legacy, and \$2,500,000 for the Columbia River Gorge Skamania Conference Center. In addition to the \$1,000,000 reduction in pest management, the managers have also agreed to transfer \$3,000,000 from pest suppression (\$1,500,000 each from the Federal and cooperative programs) to fire protection within this account.

The earmarks contained in both the House and Senate reports for urban forestry and stewardship incentives are maintained, with the exception of \$2,100,000 for the Metropolitan Greenspace Demonstration program.

The managers have agreed to additional funds for the seedlings and nurseries program, and encourage the State of Alaska to seek funds from this source for its genetics and tree improvement facilities.

Under special projects, \$100,000 is provided to WOODNET and the Northwest Forest Products Consortium in Washington State, for purposes of continued development of a regional demonstration export assistance and diversification program in the Pacific Northwest.

With respect to the Washington share of the funding for old growth diversification projects, these funds are to be provided through the Washington State Department of Trade and Economic Development—Forest Products Value-Added Program.

With regard to the Forest Legacy program, any political subdivision within New York State must agree to include itself, in order to participate in the program. A subdivision is defined as a village, city, town, or county.

The managers are aware of rural development efforts in the Hamakua, HI area and expect the Forest Service to consider any proposals from this program in the context

of the rural development program, to the same extent consideration would be given to other rural development proposals using forestry.

Amendment No. 66: Modifies language proposed by the House to provide that a grant of \$2,500,000 shall be provided to the Texas Reforestation Foundation from funds previously appropriated to the National Tree Trust. The House had proposed a grant of \$3,000,000. Any such grant should be consistent with the overall program goals and objectives of the National Tree Trust.

**INTERNATIONAL FORESTRY**

Amendment No. 67: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which establishes an International Forestry account and appropriates \$6,996,000. The House had included this account in a different location and included an appropriation of \$11,996,000, which was stricken by the Senate in Amendment No. 64, previously discussed.

**NATIONAL FOREST SYSTEM**

Amendment No. 68: Deletes reference to Forest Service Law Enforcement as proposed by the Senate.

Amendment No. 69: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed by said amendment, insert the following: *\$1,304,891,000, including not less than \$55,552,000 for law enforcement*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment appropriates \$1,304,891,000 for the national forest system instead of \$1,237,272,000 as proposed by the House and \$1,300,153,000 as proposed by the Senate, and includes language earmarking not less than \$55,552,000 for law enforcement within this account.

The increase over the amount proposed by the House consists of increases of \$5,957,000 for cooperative law enforcement, \$9,633,000 for NFS drug control, \$39,962,000 for NFS law enforcement, \$9,300,000 for timber sales, and \$12,017,000 for transfer of law enforcement funds; and decreases of \$1,500,000 for trail maintenance, \$1,700,000 for recreation management, \$350,000 for wilderness, \$350,000 for cultural resources, \$3,150,000 for wildlife and fish (including \$250,000 for neotropical migratory birds, \$500,000 for wildlife habitat monitoring, \$400,000 for inland fish management, \$750,000 for TE&S species recovery and \$250,000 for preventing listings, \$800,000 for anadromous fish management, and a general reduction of \$200,000), \$500,000 for range management, and \$1,700,000 for soil and water improvements.

Under timber sales, the managers have included \$2,000,000 of the \$4,000,000 increase proposed by the House for costs of converting all new timber sales to tree measurement in 1994. Additional funds for this purpose, up to the total of \$4,000,000, are available within the contingency funds of \$8,000,000 which were reduced by the House and which have been restored to the budget. The increase over the House for timber sales also includes an increase of \$3,500,000 for harvest administration and a general reduction of \$200,000.

Under the NFS law enforcement line item, the managers have included \$888,000 transferred from the Construction account. Additional amounts that will be available to the

law enforcement organization in 1994 are \$8,497,000 from Fire protection and \$2,632,000 from permanent appropriations. The total available for law enforcement in 1994 will be \$66,681,000. The law enforcement funding from Fire protection should be transferred to the NFS law enforcement line item in the 1995 budget request, and the request should also indicate how much it is estimated will be made available from permanent appropriations for law enforcement each year. The managers have also agreed to increases over the budgeted amounts of \$500,000 for the timber theft task force and \$400,000 for criminal investigations.

With regard to the organizational structure for the law enforcement program, the managers direct the Forest Service to establish a separate, independent chain of command for the staff working on criminal investigation activities, with all levels of this organization (forest or region) reporting directly to the chief law enforcement officer in the Washington office, who will report directly to the Chief of the Forest Service. At no level of the organization (district, forest, or regional office) should criminal investigations personnel report to or be under the supervision of anyone other than the appropriate law enforcement supervisor. For the general law enforcement personnel, the organization will be as recently revised by the Forest Service to conform with the recommendations of the President's Council on Integrity and Efficiency. The managers reiterate the importance of maintaining complete investigative independence, and expect any personnel who fail to comply with the law or who interfere with criminal investigations to be disciplined appropriately. The managers also expect the Forest Service to impose severe penalties on any personnel who fail to refer potential criminal activities to the law enforcement or criminal investigations staff for determination of appropriate action. For oversight purposes, a copy of all criminal investigations initiated in the Forest Service should be provided to the Office of the Assistant Secretary for Natural Resources.

The funding recommended by the managers for the timber sales program is essentially the same as requested in the budget, with slight adjustments due to the shift to tree measurement sales. The managers have not included any specific distribution of the fiscal year 1994 timber sales program on a regional basis because of the considerable uncertainty that exists in the program at the present time. In allocating the resources provided, however, the Forest Service should be attentive to the areas where the greatest opportunity exists for sales to proceed, and taking into account such factors as current on-the-ground conditions, the need to comply fully with existing legal requirements, the certainty of the timber base as a result of legislation and land management plans, current market demand, and actual sale and harvest activity in each of the regions in recent years. No specific reductions are to be allocated to a forest solely on the basis of a below cost determination.

Some of the funds included in the budget for contingency costs associated with the need to bring the Forest Service organization to a size compatible with the decreased timber program are retained. These funds may be used to address market demand requirements in the event they are not needed for other purposes. In addition, the managers have included bill language providing the Forest Service with "early out" authority so that the need for costly reductions in force

and relocations might be kept to a minimum. Savings resulting from use of these authorities are to be retained in the program in order to address the increased costs associated with tree measurement, ecosystem management, and watershed work.

With respect to below cost, the Forest Service should continue to implement the recommendations of the cost efficiency study in order to achieve cost savings in the program. The Service should engage in further review of the program with flexibility available in the different regions to consider alternatives to enhance the likelihood of achieving positive results, while remaining sensitive to the local and community impacts of the timber sales program. Ecosystem management, tree measurement, and other changes in the way of doing business on the national forests may increase the costs of the timber program without leading to a commensurate increase in timber values, which may affect the gain/loss calculation on forests nationwide. This situation increases the need for the Forest Service to become more proactive in its review process as it evaluates the potential costs and revenues of sales before investing large sums of money into timber sales preparation. The managers encourage the Administration to continue reviewing options for dealing with below cost sales while remaining responsive to these concerns. The managers do not direct or prohibit the Forest Service from considering the use of minimum bids in fiscal year 1994. However, if minimum bids are considered, the Forest Service should make every effort to minimize the organizational overhead costs included in such a rate, and should clearly link the bid rate with the direct costs associated with specific sales. Any consideration of minimum bids should also be responsive to the timber sale economics in different regions of the country, including terrain, species, values, and other factors.

With respect to the Pacific Northwest and the follow-up to the Forest Conference, funding is included for both the Interior Department and the Forest Service to engage in watershed assessment and restoration activities. Additional funds are provided in the State and Private Forestry account to deal with some of the community assistance aspects of the program. If additional needs are identified for fiscal year 1994, the Forest Service should comply with the Committees' reprogramming guidelines. This requirement includes any proposed use of the Secretary's transfer authorities. The primary focus for the watershed work should be on completing the necessary assessment work for the key watersheds. To aid in this effort, language is included allowing use of salvage funds for this purpose, up to a total of \$26,000,000. These efforts are to be undertaken using the interagency team approach, involving other agencies as well as Forest Service Research and State and Private Forestry, and overhead costs are to be kept to a minimum. The Forest Service should report to the Committees on Appropriations no later than December 15, 1993, on the following issues related to watershed work: proposed methodology for allocating funds, accountability for expenditure of funds, how the costs of watershed work will be measured in comparison to base funding provided, and procedures to be used for monitoring.

In addition to the use of up to \$26,000,000 from salvage funds for watershed assessment work, the managers have agreed to the retention of prior year language regarding uses of the salvage fund. No specific earmarks are provided, but attention should be given to

the drought and forest health problems in the Eastside of Washington and Oregon, the Sierras, the Tahoe Basin, the Chugach NF, and the Francis Marion NF.

The specific language related to log scaling and tree measurement is discussed under amendment no. 81. The switch to tree measurement is for sales to be prepared in fiscal year 1994, and is not a direction that sales already prepared are to be reworked. The managers expect the Forest Service to continue to negotiate with the holders of long term contracts to switch to tree measurement sales for fiscal year 1995. In the event negotiations are not successful, the terms of the existing contracts would continue. The Forest Service should continue to engage in the necessary activities to ensure that its personnel are properly trained and certified in the quality and accuracy of the tree measurement system. This includes making sure that cruise design standards are in place, and that check cruise validations occur.

With respect to the Tongass NF, the managers estimate that the timber sales preparation level in 1994 will be between 280 million board feet, the House proposed level, and 420 million board feet, the level proposed by the Senate. The managers note there are contingency funds in the timber sales budget which can be drawn upon to prepare sales for the higher level, or whatever actual level is achievable based on current market conditions and legal requirements. This preparation level combined with work to enhance the timber pipeline over the last three years is scheduled to bring the pipeline to about a three years' supply level in the Tongass NF.

With reference to the language in the House report regarding group selection in Region 5, the managers are unaware if the recent report on the Sierra range referred to has been subject to formal peer review by the scientific community. The managers understand there is not unanimity of support for group selection among the scientific, environmental, and industrial communities as there is not unanimity of support for the interim CASPO (California Spotted Owl) strategy. The managers understand that the Forest Service will continue to implement the CASPO strategy, adopted as an interim strategy by the Forest Service on March 1, 1993 for now, which in contrast to group selection was subject to peer review. The managers, however, expect Region 5 of the Forest Service to continue to consider and review fully innovative forest management practices as alternatives to the interim CASPO strategy which are generally consistent with the applicable principles of the Forest Conference and Administration's policies. The managers understand that one of the alternatives being considered through the EIS process is group selection.

Within the funds provided, there is \$1,000,000 each in OR and WA to continue harvest cutting and silviculture demonstrations, and to initiate two new restoration projects in young stands, in conjunction with the Olympic Natural Resources Center. Within the \$1,000,000 for OR, \$750,000 is to continue the demonstration program on the Umpqua NF, which includes the Douglas Project among the partners; and \$250,000 is to initiate the new demonstration project.

The managers understand that the \$200,000 earmarked in both the House and Senate reports for studying the conversion of roads to trails will be used for such studies on as many forests as possible in Region 6, with the Gifford Pinchot NF being the first priority.

The managers are aware of concerns regarding the process used by the Forest Service in allocating funds among the various



forests and regions, and are particularly troubled about reports that the funding levels for some forests have been reduced in order to fund other forests. While one forest is not to be funded at the expense of the others, with limited budgetary resources and changing policy direction, no forest can be guaranteed a funding level from one year to the next. These allocations must necessarily be made each year by the Forest Service. Although the Forest Service may take into consideration the funding levels provided in prior years in allocating its funds, as well as other appropriate factors such as the forest plans, the plans should not be the sole basis for allocating funds, since the budget assumptions of the plans are not necessarily consistent from one forest to the next. As the managers have stated previously, earmarks agreed to in final conference action are to be considered a part of the affected forest's base, unless identified to the contrary in the next year's budget.

#### FOREST SERVICE LAW ENFORCEMENT

Amendment No. 70: Deletes the separate appropriation for law enforcement as proposed by the Senate. This matter is discussed under Amendment No. 69.

#### CONSTRUCTION

Amendment No. 71: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: \$249,002,000, including road obliteration and watershed restoration

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment appropriates \$249,002,000 for construction instead of \$237,423,000 as proposed by the House and \$264,795,000 as proposed by the Senate, and adds language authorizing use of the funds for road obliteration and watershed restoration. The increase over the amount proposed by the House consists of decreases of \$888,000 for transfer to the law enforcement program under the National forest system account (including decreases of \$15,000 from facilities and \$873,000 from roads), and \$10,000,000 for the watershed restoration program, leaving \$20,000,000; and increase of \$2,867,000 for facilities, \$19,000,000 for road construction, (including increases of \$3,000,000 for timber roads, \$12,000,000 for purchaser construction support, \$1,000,000 for recreation roads, and \$3,000,000 for general purpose roads), and \$600,000 for trails.

The increase for facilities includes the following changes from the amounts proposed by the House:

Project	Change
Wayne, NF Supervisor's Office .....	-\$130,000
Recreation:	
Lewis and Clark visitors center, MT .....	+300,000
Columbia River Gorge Discovery Center .....	+1,186,000
Ocoee River .....	+1,840,000
Wayne NF, OH .....	-246,000
National Forests, TX .....	-665,000
Badin Lake, Uwharrie NF, NC .....	-250,000
Winding Stair Mountain Ketchikan, AK visitors center .....	+1,100,000
Seneca Rocks, WV visitors center .....	+3,147,000
Toiyabe NF, NV .....	+600,000
Wenatchee NF, WA .....	+\$200,000

Project	Change
White Mountain NF, NH El Portal visitors center, PR .....	+\$400,000
Cradle of Forestry, NC .....	-2,400,000
General reduction .....	-500,000
	-2,500,000
Subtotal .....	+2,867,000
Transfer to NFS law enforcement .....	-15,000
Total .....	+2,852,000

The remaining funds for the National Forests in TX are for the Boles Field and Boykin Springs projects. Of the funds for Badin Lake, \$250,000 is for a water line to serve the recreation complex. Within the funds for the Toiyabe NF, up to \$300,000 may be used for the Spring Mountain NRA management plan.

The managers have included \$300,000 for planning and design of the Lewis and Clark visitors center, MT, and \$228,000 is included, as requested in the budget, for planning the Hudson, NE education and learning center. The additional \$600,000 earmarked in the Senate report for the Lewis and Clark center is not agreed to, and should be used for the projects for which these funds were originally budgeted. These funds are provided on the basis that they will be matched on a 50/50 cost-sharing basis from non-Federal sources. The managers also agree that the total scope of these two projects should be reduced, so that total costs for completing construction of these centers do not exceed \$6,000,000 each. The managers have agreed that Federal funds will be provided on a 50/50 cost-sharing basis for completion of these projects, for a total estimate not to exceed \$3,000,000 in Federal funds for each facility. It is the expectation of the managers that additional appropriations for these projects funds is available.

The managers have agreed that they will consider funding for new visitors centers in the future if such facilities are of reasonable scope and cost, on a 50/50 Federal/non-Federal cost-sharing basis. The managers are aware of the proposed Northern Great Lakes visitors center in WI, and the commitment from the WI State Legislature and Governor to provide 50 percent funding for the project. The Forest Service is expected to review any funding request for this facility in line with the above policy, and to include funding in the 1995 budget request or in a proposed reprogramming to the Committees in fiscal year 1994 if a decision is made to proceed with the project.

With regard to the comprehensive management plan revision for the Hell's Canyon NRA, the managers have earmarked \$200,000 in the National Forest System account and \$120,000 in the Construction account for the plan revision process in fiscal year 1994, which was budgeted for the Dug Bar recreation facilities construction. The managers encourage the Forest Service to proceed with the revision as expeditiously as possible. While the plan is being revised, the managers agree that up to \$2,170,000 in construction funds including roads, facilities and trails may be spent in fiscal year 1994 for projects in the NRA, including road rehabilitation aimed at safety improvements and resource protection, and overlooks. The managers request the Forest Service to review, each project before proceeding to determine if it is a project which should be reexamined during the plan revision process. The Forest Service should not spend funds in 1994 for new recreation site development (excluding overlooks) or other facilities which might be reconsidered as part of the plan revision process.

The managers understand the budget contains \$340,000 in facilities funds and \$140,000 in trails funds for the Red Bluff Recreation Area, Mendocino NF, and the budget also contains \$425,000 for Tahoe/Tallac, \$5,613,000 for Mount St. Helens, \$450,000 for Multnomah Falls, and \$4,300,000 for Corney Lake.

The increase in trails consists of a general reduction of \$500,000 and an increase of \$1,100,000 for the Glendale to Powers, OR bicycle trail.

The managers have included \$20,000,000 for comprehensive watershed restoration activities on the westside forests of Washington, Oregon and northern California, with funds to be distributed proportionately, based on the highest priority watersheds. The House had included \$30,000,000 for these projects, and the Senate had included \$17,000,000. The funds are to be used both for road projects, such as road closure, obliteration, revegetation and drainage improvements, and watershed projects such as riparian revegetation, erosion control, and slide stabilization. The first priority for these funds should be to secure key watersheds, and rehabilitation projects should be undertaken only when watershed inventory and analysis have been completed (funds for these assessments have been provided for under the salvage sales fund). Projects selected should be those with the greatest impact on factors limiting salmon spawning, rearing and holding habitat, and projects with the greatest long-term positive impact should be favored over those with short-term benefits.

As discussed under the National Forest System account, the managers expect that projects will proceed only after proper analysis and planning take place through an interagency team review. An interagency, interdisciplinary scientific review team should be established to review and approve any existing "off the shelf" projects, as well as new projects, to ensure projects selected will provide the most ecological benefits for the dollar. Projects in key watersheds in which inventory, long-range planning, and cost/benefit analysis have been completed should receive priority in allocating funds. The managers reiterate the examples of projects to receive priority consideration listed in the House report, including the Skagit River Wild and Scenic Management Area because of its scenic and ecological importance.

Within road construction funds, there is \$562,000 for the Wayne NF, OH and \$85,000 for the Bankhead NF, AL. Within trail construction funds, there is \$700,000 for the Bankhead NF, AL, \$120,000 for the Allegheny NF, PA, and \$400,000 for the Wayne NF, OH.

Amendment No. 72: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: \$20,000,000 is for watershed restoration; \$99,347,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides for \$20,000,000 to be available for watershed restoration and \$99,347,000 to be available for construction and acquisition of buildings and other facilities within the construction appropriation in 1994. The House had proposed \$96,495,000 for facilities construction, and the Senate had proposed \$97,867,000. Neither the House nor Senate had included an earmark for watershed restoration in the bill, although both had earmarked an amount for this purpose in the report accompanying the bill. The

changes from the amounts proposed by the House for these activities are discussed under Amendment No. 71.

Amendment No. 73: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which provides \$129,655,000 for construction and repair of forest roads and trails instead of \$140,228,000 as proposed by the House and \$166,928,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The changes from the amount proposed by the House are discussed under Amendment No. 71.

#### LAND ACQUISITION

Amendment No. 74: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment that appropriates \$64,250,000 for land acquisition instead of \$56,700,000 as proposed by the House and \$51,050,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree to the following distribution:

Alpine Lakes Management Area, WA .....	\$700,000
Appalachicola NF, FL .....	2,000,000
Appalachian Trail .....	2,000,000
Caribbean NF, PR .....	450,000
Chattanooga WSR, NC, SC, GA .....	2,000,000
Cherokee NF, TN .....	550,000
Cleveland NF, CA .....	2,000,000
Colorado Wilderness Inholdings .....	1,250,000
Columbia Gorge NSA, OR, WA .....	1,000,000
Croatan NF, NC .....	500,000
Daniel Boone, NF, KY .....	2,000,000
Finger Lakes NF, NY .....	800,000
Flathead NF, MT .....	500,000
Francis Marion NF, SC .....	850,000
Gallatin NF, MT .....	3,000,000
Green Mountain NF, VT .....	3,000,000
Hoosier NF, IN .....	500,000
Kisatchie NF, LA .....	500,000
Lake Tahoe Basin, CA, NV .....	2,000,000
Little Beaver Creek W&SR, OH .....	2,200,000
Los Padres NF, CA .....	2,000,000
Mark Twain NF, MO .....	1,000,000
Michigan Lakes and Streams .....	500,000
Mount Baker-Snoqualmie NF, WA .....	1,300,000
Old Chief Joseph Grave Site, OR .....	(300,000)
Olympic NF, WA .....	1,000,000
Oregon Dunes NRA, OR .....	5,200,000
Osceola NF (Pinhook Swamp), FL .....	1,500,000
Ouachita NF, AR, OK .....	500,000
Ozark NF, AR .....	1,000,000
Pacific Northwest Streams .....	1,900,000
Roosevelt NF (Cherokee Park), CO .....	2,700,000
Salmon WSR, ID .....	1,700,000
San Bernardino NF, CA .....	1,000,000
Shawnee NF, IL .....	400,000
Superior NF, MN .....	300,000
Talladega NF, AL .....	300,000
Toiyabe NF, CA .....	1,000,000
Toiyabe NF, NV .....	2,200,000
Uwharrie NF, NC .....	500,000
Wayne NF, OH .....	500,000
Emergency, inholdings .....	1,750,000

Acquisition Management .. \$8,500,000

Total, Forest Service .. 64,250,000

The \$500,000 for Croatan NF, NC does not commit the managers to future appropriations.

The managers expect the Forest Service to complete expeditiously the study mandated by the recently passed Colorado Wilderness Act of 1993 regarding inholdings in the Spanish Peaks planning area. Also the managers direct the Forest Service to provide the Committees on Appropriations a report on the status of all Forest Service wilderness inholdings, including information about the conflicts such inholdings pose for wilderness management.

The managers direct the Forest Service to use the Pacific Northwest Stream funds to support the highest priority projects within the region. The managers further expect that resources provided will be divided equitably between projects in Oregon and Washington.

The managers understand that the \$2,200,000 in funding for land acquisition in the Toiyabe National Forest in Nevada will complete the purchase of the Fibreboard properties. The managers direct the funds to be used exclusively to conclude the Fibreboard acquisition in fiscal year 1994.

#### ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Amendment No. 75: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows: In lieu of the matter inserted by said amendment, insert; and for timber sales preparation to replace sales lost to fire or other causes, and sales preparation to replace sales inventory on the shelf for any national forest to a level sufficient to maintain new sales availability equal to a rolling five-year average of the total sales offerings, and for design, engineering, and supervision of construction of roads lost to fire or other causes associated with the timber sales programs described above, and for watershed assessment activities: Provided, That notwithstanding any other provision of law, monies received from the timber salvage sales program shall be considered as money received for purposes of computing and distributing 25 per centum payments to local governments under 16 U.S.C. 500, as amended.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The language provides for the use of salvaged sale funds for timber sales preparation to replace sales lost to fire or other causes and to replace sales inventory on the shelf, and for the 25 per centum payments to local governments from salvage sales receipts. The language has been modified from prior years to include watershed assessment activities as an allowable use of the fund. The Forest Service may use up to \$26,000,000 in salvage funds for watershed assessment activities. As discussed under Amendment Nos. 68 and 71, the primary focus for the watershed work should be to complete the assessment work for the key watersheds before proceeding with restoration projects on a piecemeal basis. These efforts are to be undertaken using the interagency team approach.

Amendment No. 76: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which deletes House language on the Shawnee NF and inserts Senate language prohibiting the use of funds for clearcutting or even aged management in hardwood stands on the

Shawnee NF to the greatest extent possible and in accordance with the Shawnee NF plan.

Amendment No. 77: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert: None of the funds made available in this Act shall be used for timber sale planning or scoping using clearcutting in the Quachita and Ozark-St. Francis National Forests in Arkansas, except for sales that are necessary as a result of natural disaster or a threat to forest health, or for maintaining or enhancing wildlife habitat, or habitat for endangered and threatened species, or for research purposes.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment changes language included in different forms by both the House and Senate to prohibit the use of funds for clearcutting in the Quachita and Ozark-St. Francis National Forests in Arkansas, with certain specified exemptions.

Amendment No. 78: Deletes House proposed language and Senate proposed language which would have prohibited the use of funds to alter the forest stand composition in the Ozark-St. Francis and Ouachita National Forests in Arkansas.

Amendment No. 79: Restores House proposed language which had been stricken by the Senate, which prohibits the use of funds in this Act to plan or conduct timber sales or build roads in three specified areas of the Chattahoochee NF, GA. Such activities will be deferred until a revision of the forest's land management plan, which will address possible designation of the three areas as wilderness or scenic areas, is completed.

Amendment No. 80: Strikes House language authorizing salvage sales in Regions 5 and 6 with certain conditions, as proposed by the Senate. This matter is addressed under Amendment No. 118.

Amendment No. 81: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

None of the funds available to the Forest Service in this Act shall be used to begin preparation of timber sales in fiscal year 1994 using the scaling method: Provided, That this limitation shall not apply to timber salvage sales: Provided further, That thinning sales may be prepared using the scaling method if determined by the Regional Forester to be the most effective means of achieving a stated environmental objective: Provided further, That this limitation shall not apply to sales prepared pursuant to existing timber contracts: Provided further, That any timber sales prepared during fiscal year 1994 which involve the use of the scaling method must be scaled by the Forest Service, or under contracts issued by the Forest Service and paid for using deposits by the timber purchaser.

Total outlays by the Forest Service pursuant to the cooperative work trust funds accounts (12-8028-0-7-302) shall not exceed \$279,668,000 in fiscal year 1994.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment revises the House proposed language requiring new timber sales prepared in fiscal year 1994 to be prepared as tree measurement, or lump sum, sales, to



add certain exceptions for salvage and thinning sales; and adds language proposed by the Senate as part of Amendment No. 124, which provides a cap on Knutson-Vandenberg (K-V) funds for fiscal year 1994, in the amount of \$279,668,000.

With regard to the scaling language, in the case of the exceptions for salvage or thinning sales, the Forest Service is to scale the logs using its own personnel, or is to enter into contracts to provide scaling or weighing services for obtaining volumes of these sales. If contracts are entered into, the Forest Service is to require the timber purchaser to pay for these services by depositing funds into a cooperative account. In this manner, the Forest Service will have direct contract authority over the organization providing the scaling services.

Before any salvage or thinning sales are prepared as scaled sales, the Forest Service should issue policy guidance to all its regions as to how such sales will be defined consistently throughout the National Forest System. Once the policy guidance is issued, sales proposed to be categorized as salvage or thinning sales should be forwarded to the Regional Forester for review and compliance with the policy. The managers believe this step is necessary in order to prevent abuses in the way in which salvage and thinning are defined. The managers have provided the flexibility for the use of scaling in salvage and thinning sales this fiscal year, but if misuses of the definition occur, it is unlikely that this flexibility would be continued in future years. The managers also request a report be provided by April 1, 1994, with a final update after the end of the fiscal year, showing the volume contained in salvage and thinning sales by region for fiscal year 1993, and the volume of such sales by region for fiscal year 1994.

Amendment No. 82: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which authorizes reimbursement of the Agricultural Stabilization and Conservation Service for administration of the stewardship incentives program, not to exceed 10 percent of the program funding level. The House had no similar provision.

Amendment No. 83: Deletes Senate language providing a pilot program for land management stewardship end result contracts on certain national forests. The managers are aware of the progress made with these contracts, and expect projects under the pilot program to continue in fiscal year 1994. The Forest Service should complete the review requested in House report 103-158. In addition, if these pilot projects prove to be another tool to address ecosystem management objectives, the Administration should come forward with a legislative proposal for consideration by the relevant authorizing committees.

Amendment No. 84: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

*Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The language allows the Forest Service to use appropriated funds to assist rural com-

munities located both within and outside the boundaries of National forest system lands.

#### DEPARTMENT OF ENERGY CONTRACTOR PAY FREEZE

The Administration submitted a budget amendment reducing requests for the various Department of Energy accounts for fiscal year 1994 by amounts estimated to be saved in implementing a one-year freeze on certain contractor salaries. In the case of Naval Petroleum and Oil Shale Reserves and Strategic Petroleum Reserves such reductions had already been considered and made. For energy conservation, fossil energy research and development, and the Energy Information Administration, reductions are being made that the managers believe in total more than offset the need for specific additional reductions for the pay freezes.

#### COORDINATION OF TECHNOLOGY DEVELOPMENT

The managers are aware of increased Federal efforts related to research, development, demonstration, and commercialization of fuel cells, alternative fuels, natural gas, coal, and electric and other vehicle technology and related infrastructure. The managers are concerned that these Federal efforts be well coordinated to avoid inefficient duplication. The managers expect the Secretary of Energy to ensure that within the Department of Energy, related programs are well coordinated and that technology transfer efforts of the national laboratories are coordinated through the relevant research and development programs. To ensure that these programs are coordinated with other Federal agencies, the managers expect the Secretary of Energy to seek to execute agreements with other Federal agencies which describe the respective responsibilities of the agencies involved in the programs. The Secretary should submit a report by April 1, 1994, on these efforts, both within the Department of Energy and with other agencies. Fiscal year 1995 budget material should include the level of both Department and other Federal efforts for each affected program.

#### FOSSIL ENERGY RESEARCH AND DEVELOPMENT

Amendment No. 85: Appropriates \$430,674,000 for fossil energy research and development instead of \$433,163,000 as proposed by the House and \$429,070,000 as proposed by the Senate. The net decrease below the amount proposed by the House consists of increases of \$625,000 for coal technology export, and \$2,000,000 for materials development, both in advanced research and technology development; \$2,000,000 in direct liquefaction to begin support of bench-scale work using Exxon facilities; \$1,750,000 for advanced concepts in pressurized fluidized bed combustion; \$2,000,000 for work on externally-fired systems in advanced combustion technology; \$850,000 to complete briquetting and coking facilities and operations at existing CTC facilities for coproducts production in coal gasification; \$1,000,000 for the Oil Recovery Technology Partnership, \$500,000 for thermodynamics research at the National Institute for Petroleum and Energy Research (NIPER), and \$350,000 for continued work on the Gypsy field by the University of Oklahoma, all in advanced extraction and process technology; \$2,000,000 for the reservoir class field program in light oil enhanced oil recovery; \$500,000 for the new drilling technology initiative in gas resource and extraction; \$350,000 to provide for light hydrocarbons to liquids research at the University of Oklahoma in gas utilization; \$1,000,000 for the university consortium, and \$1,000,000 for Morgantown Energy Technology Center

(METC) work both in high efficiency gas turbine development in gas utilization; \$250,000 for the UNDEERC jointly sponsored research program, in cooperative research and development; and \$1,000,000 for renovation of METC Building 4 in facilities; and decreases of \$250,000 in coal preparation, \$9,000,000 from unobligated balances for generic bench-scale experimental units at Pittsburgh Energy Technology Center (PETC) in coal liquefaction; \$1,114,000 for coprocessing research in direct coal liquefaction; \$2,500,000 for advanced research in combustion systems; \$500,000 for alternative fuels in combustion systems; \$2,000,000 for the Illinois mild gasification facility in coal gasification; \$500,000 for the California Oil and Gas Alliance in advanced extraction and process technology; \$500,000 for the Illinois-Michigan gas atlas in gas resource and extraction; \$500,000 for light hydrocarbons to liquids research in gas utilization; and \$2,800,000 in molten carbonate fuel cells.

The managers agree that:

1. Funds for air toxics in flue gas cleanup are for the facility support described in the House report. If future plans to support Clean Air Act requirements contain additional incremental support for air toxics research above the \$5 million, 5-year program in the House report, it should be carried out on a competitive basis, including such facilities as those at Southern Research Institute, if applicable.

2. That \$625,000 in coal technology export is for initial implementation of section 1332 of the Energy Policy Act of 1992. The managers expect that the funding provided will be used by the Department to identify potential markets for clean coal technologies in developing countries and countries with economies in transition from nonmarket economies and to identify existing, or new, financial mechanisms or financial support to be provided by the Federal government that will enhance the ability of U.S. industry to participate in these markets. The Secretary is to report to the Appropriations Committees of the House and Senate within six months after the date of enactment of this Act on potential coal technology export markets and the financing mechanisms and/or levels of Federal government support necessary to assist U.S. industry participation in these markets. In addition, the managers expect the Secretary to consider input from U.S. industry in order to assess the potential for U.S. industry participation in the development of clean coal technology projects in the developing countries and countries with economies in transition.

3. That materials development research should be redirected and focused on anticipating and solving high temperature materials problems related to the more advanced fossil energy research and development programs such as Combustion 2000, hot particulate cleanup, and fuel cell activities. Materials development should be focused through a single integrated materials program that emphasizes broad industry and laboratory participation. Institutions and university/industry consortia with a foundation of background knowledge and experience in product design issues for these technologies, such as Argonne National Lab, Pennsylvania State University, West Virginia University, and the Cooperative Research Partnership which concentrates on the non-fuel uses of coal to produce coal derived carbon materials, should be given priority consideration in broadening the participation base.

4. In alternative fuels, the added funds above the budget may be used for either in-

house research or characterization of beneficiated fuels.

5. Including the \$3,000,000 provided in this appropriation, the total amount appropriated to date for the Illinois mild gasification facility is \$9,430,000.

6. The Oil Recovery Technology Partnership program should be expanded to include Lawrence Berkeley Laboratory. On this basis the Partnership activity would also contain \$1,000,000 identified for the California Oil and Gas Alliance. The managers agree with the Senate report language on the operating processes of the Partnership, and these processes should also be applied to the California work as well while assuring a minimum of \$1,000,000 for California projects in fiscal year 1994.

7. Funds provided in advanced extraction and process technology for Gypsy field work by the University of Oklahoma should be for a specific well-defined scope of work within an overall program for the field involving significant non-Federal funding.

8. The Department should plan to complete the Illinois-Michigan basin gas atlas in future years.

9. Within funds provided for molten carbonate fuel cells, no more than \$1,000,000 is to be expended for work not related to stack development or demonstrations. The managers further agree that, if funds are provided in fiscal year 1994 to the Department of Defense for fuel cell demonstrations or research activity as is contemplated in the House-passed Defense appropriations bill, the Department must coordinate its efforts with the Department of Defense so as to minimize duplication and coordinate efforts to assure a program which efficiently uses government funds, particularly with regard to expensive demonstration activity.

10. Within the overall total for jointly sponsored research at UNDEERC, up to \$500,000 may be used for studies of Alaskan energy service options, all of which must be matched on at least a 50-50 basis by non-Federal sources.

11. No funding is contemplated currently for a State-of-the-art version of the High Performance Power system in the research and development program.

12. No reports beyond the one recently issued by the General Accounting Office and the one requested in the fiscal year 1993 Senate report are required for the magnetohydrodynamics (MHD) program. MHD funds that would have been used for the report specified by the Senate should be used to assist in program close-out activities.

13. Requests for not more than \$350,000 for follow-on funding for studies by the University of Oklahoma on the use of liquefied natural gas (LNG) as a fuel for the heavy trucking industry should be considered in the alternative fuels development activity in energy conservation.

Amendment No. 86: Deletes Senate proposed language concerning a procurement for a facility renovation at Morgantown Energy Technology Center (METC). The House had no similar provision.

The managers have recommended an increase of \$1,000,000 in Amendment No. 85 to initiate demolition and begin environmental remediation required for health and safety renovations at METC's Building 4. The managers expect the demolition and renovation to begin in fiscal year 1994, and also expect the Department to include the additional \$3,300,000 required for this high priority health and safety project in its fiscal year 1995 budget request.

#### ENERGY CONSERVATION

Amendment No. 87: Appropriates \$690,375,000 for energy conservation instead

of \$702,825,000 as proposed by the House and \$677,013,000 as proposed by the Senate. The net increase above the amount proposed by the Senate consists of increases of \$500,000 for lighting applications at Lawrence Berkeley Laboratory, and \$1,000,000 from an unspecified Senate reduction, both in the lighting and appliances activity in buildings; \$1,000,000 for oil heating research in the heating and cooling equipment activity in buildings; \$250,000 for advanced buildings in the residential sector, and \$562,000 for retrofit technology research, both in the buildings system research activity; \$1,000,000 for industrial waste utilization and conversion to continue existing projects, and \$500,000 in industrial waste minimization, both in industrial wastes; \$500,000 in industrial cogeneration; \$500,000 for continuous fiber ceramic composites in industrial enabling materials; \$2,000,000 for materials development in transportation; \$500,000 for the Sandia Livermore Combustion Research Facility in the heat engine development activity in transportation; \$1,000,000 for integrated resource planning in the utility sector; and \$8,593,000 for low income weatherization grants; and decreases of \$500,000 for metalcasting research in industrial materials processing; \$500,000 for the ongoing PEM (proton exchange membrane) fuel cell program; and \$500,000 for the on-board hydrogen storage PEM fuel cell program, both in electric and hybrid propulsion development in transportation; \$250,000 for joint ventures in technical and financial assistance; \$1,793,000 for training and technical assistance in weatherization; and \$1,000,000 for demand-side management grants in the State energy conservation grant program.

The managers agree that:

1. The Department should encourage and cooperate with utilities and a nationwide utility consortium developing incentive programs for the development of high efficiency clothes washers similar to those programs previously developed for refrigerators. Several manufacturers are development such high efficiency products.

2. The Department of Energy should take advantage of all opportunities to incorporate the best available technologies for energy efficiency in any new or modified buildings, including those built by third parties and leased to the Department or its contractors. Particular emphasis should be placed on windows, lighting, sensors, heating and cooling systems, and automated energy management systems. The managers believe the Department should take every available opportunity to showcase technologies that have been supported by the Energy Conservation appropriation over the past several years.

3. No reductions in the industrial waste minimization program should be applied to the National Industrial Competitiveness through Energy, Environment, and Economics (NICE 3) activity.

4. Pursuant to authorizing legislation the metalcasting competitive research program is designed to raise the productivity of the metalcasting industry through research in materials and process technology. The dissemination of information and education activities based on such research and other advanced technologies on metalcasting should be extended to small and medium-sized casting companies. Accordingly, the solicitation for fiscal year 1994 funds must be for proposals which contain both research and dissemination and education activities that enable the results to be transferred in a manner accessible to these small and medium-sized metalcasting companies.

5. To the extent possible the integrated resource planning activity in the utility sector should include activities encouraging innovative State regulatory authority implementation of demand-side management techniques including participation in proceedings by weatherization program subgrantees as authorized by section 112 of the Energy Policy Act of 1992 (Public Law 102-486).

6. Funding for joint venture activities in the technical and financial assistance area is not for the solicitation of project proposals. This amount will allow detailed planning and more precise definition of activities to be funded under future potential project solicitations. No funding for such solicitation will be considered prior to presentation of more detailed program plans.

7. Distribution of the \$3,000,000 originally provided in fiscal year 1992 for a weatherization incentive fund shall be as described in the Senate report.

Amendment No. 88: Earmarks \$254,025,000 for energy conservation grant programs instead of \$261,325,000 as proposed by the House and \$248,225,000 as proposed by the Senate. The earmark consists of \$206,800,000 for the weatherization assistance program, \$18,310,000 for the State energy conservation program, and \$28,915,000 for the institutional conservation program.

Amendment No. 89: Earmarks \$206,800,000 for the weatherization assistance program instead of \$213,600,000 as proposed by the House and \$200,000,000 as proposed by the Senate.

Amendment No. 90: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment that earmarks \$18,310,000 for the State energy conservation program instead of \$18,810,000 as proposed by the House and \$19,310,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The reduced earmark is based on actions agreed to in Amendment No. 87.

Amendment No. 91: Earmarks \$19,366,000 for steel and aluminum research as proposed by the Senate instead of \$18,091,000 as proposed by the House.

Amendment No. 92: Deletes Senate proposed language delineating items allowable for cost-sharing and providing for payback of government funds in steel and aluminum research, and specifying cost-sharing percentages and procedures for protection of proprietary information for battery and hybrid vehicle research. The House had no similar provision.

The managers direct the Department of Energy to continue steel and aluminum research under the same guidelines that have been in place since the inception of the program, and not to implement any changes to cost-sharing criteria or payback requirements without prior consultation with the appropriate Committees of Congress.

#### SPR PETROLEUM ACCOUNT

Amendment No. 93: Places an outlay ceiling of \$75,580,000 on the use of funds from this account of oil acquisition in fiscal year 1994 as proposed by the Senate instead of \$79,580,000 as proposed by the House.

#### ENERGY INFORMATION ADMINISTRATION

Amendment No. 94: Appropriates \$86,553,000 for the Energy Information Administration instead of \$86,053,000 as proposed by the House, and \$86,953,000 as proposed by the Senate. The increase of \$500,000 over the House is to begin preparation for the collection of greenhouse gas data.



## ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Amendment No. 95: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which waives a thirty-day waiting period for a contract to conduct activities at the Department of Energy's research facilities at Bartlesville, OK. The House had no similar provision.

## REVISION OF AMOUNTS FOR DEPARTMENT OF ENERGY

Amendment No. 96: Deletes a general reduction of \$49,764,000 for Fossil energy research and development and a general increase of \$24,873,000 for Energy Conservation contained in the House bill, as proposed by the Senate. Amounts for fossil energy research and development are addressed in Amendment No. 85, and amounts for energy conservation are addressed in Amendment No. 87.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES—INDIAN HEALTH SERVICE

## INDIAN HEALTH SERVICES

Amendment No. 97: Appropriates \$1,645,877,000 for Indian health services instead of \$1,652,394,000 as proposed by the House and \$1,641,592,000 as proposed by the Senate. The changes to the House position include increases in hospitals and clinics of \$1,400,000 in new tribes funding for the Catawba Tribe in South Carolina and \$325,000 for the Tulsa, Oklahoma operating unit, and an increase in alcohol and substance abuse of \$135,000 to fund the Gila River regional youth treatment center at 75 percent of need, consistent with the other regional treatment centers. The increases are offset by decreases in hospitals and clinics of \$50,000 for improved health services for the Shoalwater Bay Tribe of Washington, \$50,000 for AIDS treatment and \$5,977,000, which is transferred to the facilities account, to bring operating units to 60 percent of the level of need funded. There are also decreases of \$100,000 in mental health for the Bay Mills child sexual abuse treatment and prevention program, which leaves the funding for that program at the fiscal year 1993 level; \$900,000 in community health representatives; \$800,000 in direct operations; and \$500,000 in contract support costs for new and expanded contracts funded through the Indian self-determination fund.

The managers agree that:

1. A total of \$680,000 is to be made available for the Shoalwater Bay Tribe of Washington and should remain in the base for future budgets;

2. IHS should continue to work with the Mississippi Choctaw Tribe to ensure sufficient funds are provided for the tuberculosis program;

3. Funds allocated by the IHS to the Tulsa, Oklahoma clinic may be used for expanded lease space, consistent with the IHS lease priority system;

4. A portion of the California share of the increase above the budget request for contract health services may be used for the California contract health demonstration project to the extent the tribes in that area agree to such a use.

5. IHS should work with the Department of the Interior to review carefully contract support cost requirements, and report to the Committees on the results of that review, including any suggested improvements to the current procedures for estimating these costs; and

6. The IHS needs to work closely with the Bureau of Indian Affairs to develop a cost ef-

fective, integrated approach to dealing with child abuse in Indian country; the fiscal year 1995 budget request for each agency should make this program a high priority.

Amendment No. 98: Earmarks \$7,500,000 for the self-determination fund instead of \$8,000,000 as proposed by the House and \$7,000,000 as proposed by the Senate.

## INDIAN HEALTH FACILITIES

Amendment No. 99: Appropriates \$296,982,000 for Indian health facilities instead of \$296,997,000 as proposed by the House and \$293,682,000 as proposed by the Senate. The changes in the House-recommended level include increases of \$300,000 in new and replacement hospitals for planning of the Winnebago hospital in Nebraska; \$5,977,000 which is transferred from the hospital and clinics account to bring operating units to 60 percent of the level of need funded; and, in outpatient care facilities, \$708,000 for planning of the Second Mesa health center in Arizona and \$500,000 each for site work at the Fort Belknap and White Earth health centers in Montana. The increases are offset by decreases of \$7,000,000 in maintenance and improvement, \$500,000 in dental units, and \$500,000 in injury prevention.

The managers agree that:

1. The \$5,977,000 transferred from hospitals and clinics should be placed in a new budget subactivity titled: "Facilities/Space for Increase in Level of Need Funded";

2. The \$465,000 unobligated balance remaining from the Phoenix area regional youth treatment center project may be used for planning and construction of a satellite facility at an alternate site in Nevada in keeping with the original agreement for servicing that area; and

3. While there is no increase above the budget request for sanitation facilities, IHS should work with the tribes in the Navajo area and the Yukon-Kuskokwim region of Alaska to ensure the extraordinary needs in those areas are appropriately integrated in the sanitation deficiency priority system.

The managers are aware of several potential reprogramming needs within IHS, including funds to conduct feasibility studies and site surveys for projects awaiting placement in the facilities construction priority system, to purchase land for expansion of the Gallup Indian Medical Center, and to standardize hospital and clinic designs. The managers support these efforts and are ready to approve reprogrammings for them to the extent existing projects are completed at less than the originally estimated costs. The managers suggest that, in line with the Vice President's National Performance Review, IHS managers be empowered to make these funding realignments, with advance notification to the House and Senate Committees on Appropriations, and that the processing of these reprogrammings through the bureaucracy be accomplished in a matter of days rather than over several months as has been the norm in the past.

Amendment No. 100: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Retain the matter proposed by said amendment amended as follows:

In lieu of the sum named in said amendment insert: \$300,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The amendment precludes the use of planning funds for the Winnebago Hospital in Nebraska until a program justification docu-

ment has been approved. The House had no similar provision. The Senate had proposed \$500,000 in planning funds and the managers have agreed to provide \$300,000.

## ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Amendment No. 101: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows the use of funds to renovate existing buildings to meet additional space requirements. The House had no similar provision.

Amendment No. 102: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows: : *Provided further, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant or agreement authorized by Title I of the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), may be deobligated and reobligated to a self-governance funding agreement under Title III of the Indian Self-Determination and Education Assistance Act of 1975 and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The amendment deletes a House provision, stricken by the Senate, requiring approval of staffing reductions by the Committees on Appropriations and inserts a provision permitting the transfer of funds from existing tribal contracts to self-governance compacts.

The managers stress that the necessary personnel resources must be made available to ensure that there are sufficient health professionals at each IHS hospital and outpatient facility. It is unrealistic to assume that IHS can provide needed staff with contract rather than in-house personnel. The managers expect the IHS to keep the Committees fully informed of any proposed personnel reductions or realignments following the established reprogramming procedures. Further, the managers encourage both the Department of Health and Human Services and the Office of Management and Budget to exempt the increased staff needed for new and expanded IHS facilities from the baseline on which government-wide staffing reductions are assessed. The managers also note that the vast majority of IHS personnel in high-graded positions are physicians and believe any staffing reductions in the higher graded positions should not be applied to physician and health professional positions.

## DEPARTMENT OF EDUCATION—OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

## INDIAN EDUCATION

Amendment No. 103: Appropriates \$83,500,000 for Indian education as proposed by the House instead of \$83,405,000 as proposed by the Senate.

## OTHER RELATED AGENCIES

## OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

## SALARIES AND EXPENSES

Amendment No. 104: Appropriates \$26,936,000 for the Office of Navajo and Hopi Indian Relocation as proposed by the House instead of \$28,436,000 as proposed by the Senate. Funding for housing improvements in

the Bennett Freeze area is addressed under the Bureau of Indian Affairs in Amendment No. 44.

#### SMITHSONIAN INSTITUTION

##### SALARIES AND EXPENSES

Amendment No. 105: Appropriates \$302,349,000 for salaries and expenses as proposed by the Senate instead of \$302,083,000 as proposed by the House.

Amendment No. 106: Provides that \$24,552,000 shall remain available until expended as proposed by the Senate instead of \$27,579,000 as proposed by the House.

#### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

##### NATIONAL ENDOWMENT FOR THE ARTS

##### GRANTS AND ADMINISTRATION

Amendment No. 107: Appropriates \$140,836,000 for grants and administration as proposed by the Senate instead of \$137,228,450 as proposed by the House.

##### MATCHING GRANTS

Amendment No. 108: Appropriates \$29,392,000 for matching grants as proposed by the Senate instead of \$28,634,000 as proposed by the House.

Amendment No. 109: Earmarks \$12,858,000 for challenge grants as proposed by the Senate instead of \$13,187,000 as proposed by the House.

#### NATIONAL ENDOWMENT FOR THE HUMANITIES

The managers agree to the distribution of funds proposed by the House which includes \$250,000 more for the National Heritage Preservation Program than proposed by the Senate. The Senate had included \$250,000 more than the House for the U.S. Newspaper program.

##### ADMINISTRATIVE PROVISIONS

Amendment No. 110: Deletes House language which prohibits continuation of the President's Committee on the Arts and the Humanities as proposed by the Senate.

#### FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

##### SALARIES AND EXPENSES

Amendment No. 111: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that funds appropriated to the Franklin Delano Roosevelt Memorial Commission in fiscal year 1993 shall remain available until expended. The House had no similar provision.

The managers also have provided \$11,000,000 in the National Park Service construction account to continue construction of the memorial.

#### PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

##### PUBLIC DEVELOPMENT

Amendment No. 112: Appropriates \$4,289,000 for public development as proposed by the House instead of \$4,389,000 as proposed by the Senate.

#### TITLE III—GENERAL PROVISIONS

Amendment No. 113: Deletes House proposed language stricken by the Senate which would have prohibited the use of funds in this Act for any sale of unprocessed timber to be exported by the purchaser from Federal lands in the State of Texas.

Amendment No. 114: Deletes House-proposed provision establishing a monetary floor for payments from timber receipts to States for National Forests affected by decisions related to the Northern Spotted Owl, as proposed by the Senate. Such payments

have been addressed in Public Law 103-66, the Budget Reconciliation Act of 1993.

Amendment No. 115: Deletes House-proposed provision establishing a monetary floor for payments to Oregon and California land grant counties, based on timber receipts, as proposed by the Senate. Such payments have been addressed in Public Law 103-66, the Budget Reconciliation Act of 1993.

Amendment No. 116: Deletes House provision, stricken by the Senate, which would have made the Speaker of the House a Regent of the Smithsonian Institution.

Amendment No. 117: Restores House-proposed provision on compliance with the Buy American Act which was stricken by the Senate and changes the section number.

Amendment No. 118: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Retain the matter inserted by said amendment, amended as follows:

In lieu of the section number named in said amendment, insert: 314

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides for timber salvage sales in the Pacific Northwest on Forest Service and Bureau of Land Management lands, subject to existing environmental and forest management laws, and changes the section number.

Amendment No. 119: Deletes Senate provision prohibiting the use of funds to initiate projects with total cost in excess of \$500,000 unless provided for in the budget justifications or in the appropriations bill and/or reports. The managers remain concerned about the explosion of new proposals which carry significant outyear cost implications, but which have not gone through the budget review process. While many of these types of proposals may be well-intentioned, they must be considered in the context of the overall budget. Available discretionary dollars will become more and more constrained in the years ahead, and it is imperative that parties interested in the programs funded in the bill understand that requests for additional funding will increasingly have to come at the expense of other projects in the budget, including base operational funds. At a time when many agencies are highlighting the constraints of the operational base, the managers believe it important that the linkage between these matters be recognized and understood.

Amendment No. 120: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Retain the matter inserted by said amendment, amended as follows:

In lieu of the Section number named in said amendment, insert: 315

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment limits funding for sales of giant sequoias pending completion of a management implementation plan, and changes the section number.

Amendment No. 121: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Retain the matter inserted by said amendment, amended as follows:

In lieu of the Section number named in said amendment, insert: 316

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment limits increases in government housing rental rates to no more than 10 per cent of the rental rates which were in effect on September 1, 1993.

Amendment No. 122: Deletes language proposed by the Senate which would have amended the Food, Agriculture, Conservation, and Trade Act of 1990 to provide a new definition of the term "rural community". The House had no similar provision. The language has been passed as a separate bill by both the House and the Senate, and it is not necessary to carry this provision in this Act.

Amendment No. 123: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

#### SEC. 317. GRAZING.

Title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.) is amended by adding the following new sections:

#### "SEC. 405. GRAZING FEES.

"(a) ESTABLISHMENT.—The Secretary of the Interior and the Secretary of Agriculture shall annually establish grazing fees.

"(b) PHASE-IN.—The grazing fee for the grazing years 1994, 1995, and 1996 shall be as follows:

"(1) Grazing Fee for 1994=\$2.39 per AUM

"(2) Grazing Fee for 1995=\$2.92 per AUM

"(3) Grazing Fee for 1996=\$3.45 per AUM

"(c) CALCULATION.—Beginning in the grazing year 1997, the grazing fee per AUM shall be equal to a \$3.45 base value multiplied by the forage value index computed annually from data supplied by the National Agricultural Statistics Service, in accordance with the following formula:

"Grazing Fee per AUM=\$3.45 Forage Value Index

"(d) DEFINITIONS.—For purposes of this section—

"(1) the term, 'Forage Value Index (FVI)' means the average estimate (weighted by AUMs) of the annual rental charge per AUM for pasturing cattle on private rangelands in the 17 contiguous Western States (Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming) divided by \$8.67 (average for the years 1990, 1991, and 1992); and

"(2) the term 'Animal Unit Month (AUM)' means the amount of forage necessary for the sustenance of 1 cow or its equivalent for a period of 1 month.

"(e) INCREASES OR DECREASES.—Any annual increase or decrease in the grazing fee occurring after 1996 shall be limited to not more than 15 percent of the fee in the previous year.

"(f) LANDS AFFECTED.—Fees shall be charged for livestock grazing upon or crossing the public lands and other lands administered by the Bureau of Land Management and the National Forest System lands in the 17 contiguous Western States, excluding the National Forests in Texas, at a specified rate per animal unit month.

"(g) GRAZING AFFECTED.—The full fee shall be charged for each paying animal unit which is defined as each animal 6 months of age or over at the time of entering the public lands, or National Forest System lands, for all weaned animals regardless of age, and for such animals as will become 12 months of age during the authorized period of use. No charge will be made for animals under 6 months of age at the time of entering the public lands, or National Forest System lands, that are the natural progeny of animals upon which fees are paid, provided they



will not become 12 months of age during the authorized period of use, or for progeny born during that period.

#### "SEC. 406. RANGELAND REFORM.

"(a) REGULATIONS.—The Secretary of the Interior shall promulgate regulations to establish payment dates, late fee assessments, and service charges for the grazing fee established pursuant to section 405 of this Act and as provided for in section 4130.7-3 of title 43, Code of Federal Regulations.

"(b) EXECUTIVE ORDER.—Executive Order No. 12548 (43 U.S.C. 1905 note) shall not apply to grazing fees established after the date of enactment of this section.

"(c) PROPOSED DECISIONS AND APPEALS ON PERMITS OR LEASES.—The Secretary of the Interior shall issue regulations providing for decisions and appeals of final decisions on grazing permits or leases. Such regulations shall provide the following:

"(1) CHANGES IN LIVESTOCK MANAGEMENT PRACTICES.—After consultation, reductions of permitted use or changes in livestock management practices necessary to protect rangeland ecosystem health shall be implemented through a documented agreement or by decision of the authorized officer. Determinations regarding the ecological health of ecosystems or the actions necessary to achieve healthy ecosystems shall be based on the standards and guidelines promulgated pursuant to subsection (o), or monitoring, inventory, or other forage production data acceptable to the authorized officer.

"(2) OTHER CHANGES.—When the authorized officer determines that the soil, vegetation, or other resources on the public lands require protection because of conditions such as drought, fire, flood, or insect infestation, or when continued grazing use poses a significant risk of resource damage from these factors, after consultation with, or a reasonable attempt to consult with affected permittees or lessees, other interested parties, and the State having lands or responsible for managing resources within the area, the authorized officer shall close allotments or portions of allotments to grazing by any kind of livestock, or modify authorized grazing use. Notices of closure and decisions requiring modification of authorized grazing use may be issued as final decisions effective upon issuance or on the date specified in the decision. Such decisions shall remain in effect pending the decision on appeal unless a stay is granted by the Office of Hearings and Appeals.

"(d) WATER RIGHTS.—Subject to valid water rights existing on the date of enactment, no water rights shall be obtained for grazing-related actions on public lands except in the name of the United States.

"(e) SUBLEASING.—A leasing surcharge shall be added by the Secretary of the Interior to the grazing fee billings for authorized leasing of base property to which public land grazing preference is attached or authorized grazing of livestock owned by persons other than the permittee or lessee. The surcharge shall be in addition to any other fees that may be charged for using public land forage. Surcharges shall be paid for grazing use calculated in accordance with the following:

"(1) 20 percent of the grazing bill for the permitted grazing use that is attached to a leased base property by an approved transfer, or that was leased and attached to the base property of another party through an approved transfer.

"(2) 50 percent of the grazing bill for pasturing livestock owned by persons other than the permittee or lessee under a grazing authorization.

"(3) 70 percent of the grazing bill when base property is leased and a transfer has been approved and livestock owned by persons other than the permittee or lessee are pastured under a grazing authorization.

"(f) UNAUTHORIZED GRAZING USE.—

"(1) VIOLATIONS.—

"(A) Violation of section 4140.1(b)(1) of title 43, Code of Federal Regulations, constitutes unauthorized grazing use.

"(B) The authorized officer shall determine whether a violation is nonwillful, willful, or repeated willful.

"(C) Violators shall be liable in damages to the United States for the forage consumed by their livestock, for injury to public lands and other property of the United States caused by their unauthorized grazing use, and for expenses incurred in impoundment and disposal of their livestock, and may be subject to civil penalties or criminal sanction for such unlawful acts.

"(2) NOTICE AND ORDER TO REMOVE.—

"(A) Whenever a violation has been determined to be nonwillful and incidental, and the owner of the unauthorized livestock is known, the authorized officer shall notify the alleged violator that a violation has been reported, that the violation must be corrected, and how it can be settled, based upon the discretion of the authorized officer.

"(B) Whenever it appears that a violation exists and the owner of the unauthorized livestock is known, written notice of unauthorized use and order to remove livestock by a specified date shall be served upon the alleged violator or the agent of record, or both, by certified mail or personal delivery. The written notice shall also allow a specified time from receipt of notice for the alleged violator to show that there has been no violation or to make settlement under paragraph (3).

"(C) When neither the owner of the unauthorized livestock nor his agent is known, the authorized officer may proceed to impound the livestock under paragraph (3).

"(3) SETTLEMENT.—

"(A) The authorized officer shall determine whether the violation is nonwillful, willful, or repeated willful. Where violations are repeated willful, the authorized officer shall take action under section 4170.1-1(b) of title 43, Code of Federal Regulations. The amount due for settlement shall include the value of forage consumed as determined under subparagraph (B). Settlement for willful and repeated willful violations shall also include the full value for all damages to the public lands and other property of the United States, and all reasonable expenses incurred by the United States in detecting, investigating, resolving violations, and livestock impoundment costs.

"(B) For purposes of subparagraph (A), the value of forage consumed shall be determined as follows:

"(i) For nonwillful violations, the value of forage consumed as determined by the average monthly rate per AUM for pasturing livestock on privately owned land (excluding irrigated land) for the 17 Western States as published annually by the Department of Agriculture. The authorized officer may approve nonmonetary settlement of unauthorized use when the authorized officer determines that each of the following conditions are met:

"(I) Evidence shows that the unauthorized use occurred through no fault of the livestock operator.

"(II) The forage use is insignificant.

"(III) The public lands have not been damaged.

"(IV) Nonmonetary settlement is in the best interests of the United States.

"(ii) For willful violations, twice the value of forage consumed as determined in clause (i) of this paragraph.

"(iii) For repeated willful violations, three times the value of the forage consumed as determined in clause (i) of this paragraph.

"(iv) Payment made under this paragraph does not relieve the alleged violator of any criminal liability under Federal or State law.

"(v) Violators shall not be authorized to make grazing use on the public lands administered by the Bureau of Land Management until any amount found to be due the United States under this section has been paid. The authorized officer may take action under section 4160.1-2 of title 43, Code of Federal Regulations, to cancel or suspend grazing authorizations or to deny approval of applications for grazing use until such amounts have been paid. The proposed decision shall include a demand for payment.

"(g) RESOURCE ADVISORY COUNCILS.—

"(1) One or more resource advisory councils, as provided for in section 309, shall be established for the area within the jurisdiction of each Bureau of Land Management State Office to provide guidance on the management of public lands and resources.

"(2) The Secretary or a designee of the Secretary shall appoint not less than 10 nor more than 15 members to serve on each resource advisory council. One appointee of each resource advisory council shall be an official elected to a position in State or local government serving the people of the area for which the council is established.

"(3) A resource advisory council advises the Bureau of Land Management official to whom it reports regarding multiple use plans and programs for public lands and resources within its area.

"(4) A resource advisory council and its subcommittees shall meet at the call of the designated Federal officer and elect their own officers. The designated Federal officer shall attend all meetings of the council and its subcommittees.

"(5) Administrative support for a resource advisory council and its subcommittees shall be provided by the office of the designated Federal officer.

"(h) RANGE IMPROVEMENT FUND.—

"(1) With respect to public lands, in addition to range developments accomplished through other resources management funds, authorized range improvement may be secured through the use of the appropriated range improvement fund provided for by section 401 of this Act. One-half of the available funds shall be expended in the State and district from which they were derived. The remaining one-half of the fund shall be allocated, on a priority basis, by the Secretary or designee for on-the-ground ecosystem rehabilitation, protection and improvement.

"(2) All appropriated funds for range improvement are to be used for cost-effective investment in improvements that benefit all rangeland resources, including riparian area rehabilitation, improvement, and protection, fish and wildlife habitat improvement, wild horse and burro habitat management facilities, vegetation improvement and management, and livestock grazing management. The funds may be used for activities including the planning, design, layout, modification, and monitoring and evaluating the effectiveness of specific range improvement projects.

"(3) During the planning of the range development or range improvement programs, authorized officers shall consult affected permittees, lessees, and other interested parties.

"(i) RANGE IMPROVEMENT OWNERSHIP.—

"(1) With respect to public lands, any permittee or lessee may apply for a range improvement permit to install, use, maintain, or modify range improvements that are needed to achieve management objectives within his or her designated allotment. The permittee or lessee shall agree to provide full funding for construction, installation, modification, or maintenance. Such range improvement permit may be issued at the discretion of the authorized officer.

"(2) The permittee or lessee may hold the title to all temporary range improvements authorized as livestock handling facilities such as corrals and dipping vats and temporary, readily removable improvements such as troughs for hauled water. The authorization for permanent water developments, such as spring developments, wells, reservoirs, stock tanks, and pipelines, shall be through cooperative range improvement agreements to protect the public interest for multiple use of rangeland ecosystems. The United States shall assert its claims and exercise its rights to water developed on public lands to benefit the public lands and resources thereon.

"(3) Where a permittee or lessee cannot make use of the forage available for livestock and an application for nonuse has been denied or the opportunity to make use of the available forage is requested by the authorized officer, the permittee or lessee shall cooperate with the temporary authorized use of forage by another operator, when it is authorized by the authorized officer following consultation with the preference permittee or lessee.

"(4) A permittee or lessee shall be reasonably compensated for the use and maintenance of improvements and facilities by the operator who has an authorization for temporary grazing use.

"(5) The authorized officer may mediate disputes about reasonable compensation and, following consultation with the interested parties, make a determination concerning the fair and reasonable share of operation and maintenance expenses and compensation for use of improvements and facilities.

"(6) Where a settlement cannot be reached, the authorized officer shall issue a temporary grazing authorization including appropriate terms and conditions and the requirement to compensate the preference permittee or lessee for the fair share of operation and maintenance as determined by the authorized officer under subpart 4160 of title 43, Code of Federal Regulations.

"(j) **MANDATORY QUALIFICATIONS.**—

"(1) Except as provided in sections 4110.1-1, 4130.3, and 4130.4-3 of title 43, Code of Federal Regulations, to qualify for a grazing permit or lease on the public lands an applicant must own or control land or water base property, and must be—

"(A) a citizen of the United States or have properly filed a valid declaration of intention to become a citizen or a valid petition for naturalization;

"(B) a group or association authorized to conduct business in the State in which the grazing use is sought, all members of which are qualified under subparagraph (A); or

"(C) a corporation authorized to conduct business in the State in which the grazing use is sought.

"(2) Any applicant who currently holds or has previously held a Federal grazing permit or lease, either directly or indirectly, must be determined by the authorized officer to have a satisfactory record of performance.

"(3) The applicant and any affiliate must at the time of permit or lease issuance be determined by the authorized officer to be in substantial compliance with the terms and conditions of any Federal or State grazing permit or lease presently held and with the rules and regulations applicable to those permits and leases. The authorized officer may take into consideration circumstances beyond the control of the applicant or affiliate in determining whether the applicant or affiliate, if any, are in compliance with existing permit or lease terms and conditions and applicable rules and regulations.

"(4) Any applicant or affiliate who has had any Federal or State grazing permit or lease canceled for violation of the permit or lease within the 36 calendar months immediately pre-

ceding the date of application shall be deemed to have an unsatisfactory performance record.

"(5) In determining whether affiliation exists, the authorized officer shall consider all appropriate factors, including, but not limited to, common ownership, common management, identity of interests among family members, and contractual relationships.

"(6) Applicants shall submit an application and any other information requested by the authorized officer in order to determine that all qualifications have been met.

"(k) **SUSPENDED NONUSE.**—The Secretary shall promulgate regulations to remove references in existing regulations to long-term suspended nonuse.

"(l) **PROHIBITED ACTS.**—The Secretary shall promulgate regulations which would make violations of the Wild Horse and Burro Act, Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other Federal or State laws concerning conservation, protection of natural or cultural resources, and protection of environmental quality prohibited acts. Upon the expiration of appeal or review periods following a conviction for violation or an administrative finding of violation of these laws the authorized officer may consider cancellation or suspension of permits and leases when the violation occurred on public land or is found to be related to authorized grazing of public land.

"(m) **RANGE IMPROVEMENTS.**—Subject to valid rights existing on the date of enactment of this section, all rights to permanent improvements contained on or in public lands are vested in the United States.

"(n) **CONSERVATION NONUSE.**—The Secretary shall promulgate regulations to authorize persons or entities owning or controlling base property which is capable of serving as a base for livestock use of public lands to apply for up to 10 consecutive years of conservation use of a permit or lease, and up to 3 consecutive years of temporary nonuse.

"(o) **STANDARDS.**—The Secretary of the Interior shall develop standards and guidelines that establish minimum conditions for the protection of rangeland ecological health. These standards and guidelines shall be promulgated pursuant to the National Environmental Policy Act of 1969, and chapter 5 of title 5, United States Code, to the extent each is applicable. Permits and leases shall incorporate applicable standards and guidelines to ensure the proper management of public rangelands. These standards and guidelines shall provide for—

"(1) the restoration and protection of riparian values, such as healthy wildlife and fish habitat and diverse vegetation;

"(2) compliance with the Clean Water Act (33 U.S.C. 1251 et seq.);

"(3) compliance with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

"(4) restoration, maintenance, and improvement of ecosystem health, such as diversity, resilience, and sustainability."

**SEC. 318. USE OF FUNDS.**

Except as provided by this Act, none of the funds made available to the Secretary of the Interior by this Act may be used to implement any grazing reform program, including a grazing fee increase, unless Congress has approved such program or fee increase. Nothing in this section shall prohibit the Secretary from promulgating regulations, modifying existing regulations, or taking other actions, as necessary, to implement the provisions of sections 405 and 406 of the Federal Land Policy and Management Act of 1976 as added by this Act.

**SEC. 319. REPEAL.**

Section 403 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1753) is repealed.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The original Senate amendment placed a moratorium on changes in grazing fees and changes in grazing management practices. The House had no similar provision.

The amendment agreed to by the managers provides for the following:

(1) Increases in grazing fees for public lands and National Forest System lands from the current level of \$1.86 per animal unit month (AUM) to \$2.39 per AUM in 1994; \$2.92 per AUM in 1995; and \$3.45 per AUM in 1996.

(2) After 1996 the grazing fee will be adjusted by a Forage Value Index defined in the law, subject to a maximum increase or decrease of 15% each year.

(3) grazing management reforms can only be implemented to the extent approved by Congress, including the following items:

(a) range management decisions on permits or leases are effective on the date of issuance, unless a stay is granted pending action on an appeal.

(b) all water rights accrue to the United States, subject to valid water rights existing upon enactment.

(c) the government will collect a surcharge of from 20 to 70 percent from permittees who sublease to third parties.

(d) unauthorized use violations are subject to either monetary or nonmonetary penalties.

(e) grazing advisory boards are replaced by resource advisory boards with broader representation.

(f) the use of range improvement funds is expanded.

(g) title to permanent range improvements accrues to the United States subject to valid rights existing upon enactment.

(h) permittees who have had a Federal or State permit or lease cancelled for violations may not obtain another permit for 36 months.

(i) suspended non-use on allotments is deleted as a concept.

(j) willful violations of certain environmental laws may be cause for cancellation of permits or leases, after expiration of appeal or review periods, if they affect public lands or are related to grazing on public lands.

(k) periods of non-use for conservation purposes are authorized.

(l) national standards are to be developed through the normal regulatory process.

Amendment No. 124: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment, insert:

**SEC. 320. FOREST SERVICE SEPARATION PAY.**—

(a) In order to avoid or minimize the need for involuntary separations, effective for the period beginning upon the date of enactment of this Act through and including September 30, 1994, the Secretary of Agriculture, under such regulations and subject to such conditions as the Secretary of Agriculture may prescribe, shall have authority to offer separation pay to employees of the Forest Service to the same extent the Secretary of Defense is authorized to offer separation pay to employees of a defense agency in section 5597 of title 5, United States Code.

(b) In the event that an authority is enacted to offer separation pay or a voluntary separation incentive similar to such section 5597 of title 5, United States Code, but applicable to employees in the executive branch generally, the authority under subsection (a) shall terminate.



(c) Such payments may be made to employees who agree, during a continuous 90 day period designated by the agency head, beginning no earlier than the date of enactment of this Act and ending no later than September 30, 1994, to separate from service with the agency, whether by retirement or resignation.

(d) An employee who has received a voluntary separation incentive under this section and accepts employment with the Government of the United States within 2 years of the date of the separation on which payment of the incentive is based shall be required to repay the entire amount of the incentive to the agency that paid the incentive.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment provides authority to the Secretary of Agriculture to offer separation pay to employees of the Forest Service, in order to minimize the need for involuntary separations. Under the President's Forest Plan in the Pacific Northwest, as well as for other reasons in other areas of the country, the Forest Service will have to reduce the number of its employees significantly during fiscal year 1994, and without this authority, a large portion of the 1994 budget could be required for the costs of a Reduction-in-Force. With this authority, savings of \$25,000,000 could be achieved, compared to the cost of a RIF. The language also provides that this authority will terminate when government-wide authority is enacted into law. The language also provides for full repayment of any payment received under this authority if the employee receiving the payment is reemployed with the Government within two years of the separation date.

Amendment No. 125: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 321. None of the funds provided in this Act may be used to implement the Bureau of Land Management/United States Forest Service comprehensive strategy for Pacific salmon and steelhead habitat (PACFISH) or to impose interim guidelines for such strategy in the Tongass National Forest: Provided, That nothing in this section shall be construed to enlarge or diminish minimum timber no harvest buffer zones required by the Tongass Timber Reform Act or to enlarge or diminish site-specific management prescriptions which increase no harvest fish stream buffer zones applied under the Tongass Land Management Plan and existing standards and guidelines of the Tongass National Forest.

And on page 52, line 21 of the House engrossed bill, H.R. 2520, strike "\$150,000 on October 1, 1993, \$250,000,000" and insert "\$125,000,000 on October 1, 1993, \$275,000,000"

The managers on the part of the Senate will move to concur in the amendment on the House to the amendment of the Senate.

The managers recognize that Alaska is the only State which has statutory minimum no harvest buffer zones on State, private, and Federal lands resulting from Federal and State laws. For this reason and because of the differences between the existing good condition of anadromous fish habitat in Alaska and other areas of the country, the managers have revised Senate proposed language to prohibit implementation of the PACFISH strategy in Alaska in 1994. The language also clarifies that this prohibition does not apply to any management prescriptions involving anadromous fish habitat

under current standards and guidelines in the Tongass NF.

The managers recognize that more studies are needed prior to making any decisions on implementing the strategy in Alaska. The Forest Service therefore should proceed with stream analyses and studies and review procedures related to the PACFISH strategy in 1994 in order to study the effectiveness of the current procedures, such as buffer strips, and to determine if any additional protection is needed. The Forest Service should provide an interim report on studies conducted to date to the Appropriations Committees by April 1, 1994. Funding for such studies and analyses shall come from salvage funds identified previously for that purpose and other programs such as soil, water and air, and research.

The amendment also reduces the amounts of funds available for the fifth round of projects in the Department of Energy's clean coal technology account in fiscal year 1994 by \$25,000,000 to \$125,000,000. The funds are to be made available in fiscal year 1995.

#### APPLICATION OF GENERAL REDUCTIONS

The level at which reductions shall be taken pursuant to the Deficit Reduction Act of 1985, if such reductions are required in fiscal year 1994, is defined by the managers as follows:

As provided for by section 256(1)(2) of Public Law 99-177, as amended, and for the purposes of a Presidential Order issued pursuant to section 254 of said Act, the term "program, project, and activity" for items under the jurisdiction of the Appropriations Subcommittees on the Department of the Interior and Related Agencies of the House of Representatives and the Senate is defined as (1) any item specifically identified in tables or written material set forth in the Interior and Related Agencies Appropriations Act, or accompanying committee reports or the conference report and accompanying joint explanatory statement of the managers of the committee of conference; (2) any Government-owned or Government-operated facility; and (3) management units, such as national parks, national forests, fish hatcheries, wildlife refuges, research units, regional, State and other administrative units and the like, for which funds are provided in fiscal year 1994.

The managers emphasize that any item for which a specific dollar amount is mentioned in an accompanying report, including all increases over the budget estimate approved by the Committees, shall be subject to a percentage reduction no greater or less than the percentage reduction applied to all domestic discretionary accounts.

#### CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1994 recommended by the Committee of Conference, with comparisons to the fiscal year 1993 amount, the 1994 budget estimates, and the House and Senate bills for 1994 follow:

New budget (obligational) authority, fiscal year 1993 .....	\$12,199,956,000
Budget estimates of new (obligational) authority, fiscal year 1994 .....	13,617,688,000
House bill, fiscal year 1994 .....	12,685,169,000
Senate bill, fiscal year 1994 .....	13,346,699,000
Conference agreement, fiscal year 1994 .....	13,388,038,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1993 .....	+\$1,188,082,000

Budget estimates of new (obligational) authority, fiscal year 1994 .....	-229,650,000
House bill, fiscal year 1994 .....	+702,869,000
Senate bill, fiscal year 1994 .....	+41,339,000

SIDNEY R. YATES,  
JOHN P. MURTHA,  
NORMAN D. DICKS,  
TOM BEVILL,  
DAVID E. SKAGGS,  
RONALD D. COLEMAN,  
WILLIAM H. NATCHER,  
RALPH REGULA,  
JOSEPH M. MCDADE,  
JIM KOLBE

(except for amendments Nos. 16, 17, 18, and 123),  
RON PACKARD  
(except for amendments Nos. 16, 17, 18, and 123),

*Managers on the Part of the House.*

ROBERT C. BYRD,  
J. BENNETT JOHNSTON,  
PATRICK J. LEAHY,  
DENNIS DECONCINI,  
DALE BUMPERS,  
ERNEST F. HOLLINGS,  
HARRY REID,  
PATTY MURRAY,  
DON NICKLES,  
TED STEVENS,  
THAD COCHRAN,  
MARK O. HATFIELD,

*Managers on the Part of the Senate.*

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ACKERMAN (at the request of Mr. GEPHARDT), for today, on account of personal business.

Mr. CLEMENT (at the request of Mr. GEPHARDT), for today, on account of official business.

Mr. ORTON (at the request of Mr. GEPHARDT), for today, on account of official business.

Mrs. FOWLER (at the request of Mr. MICHEL), for today, on account of family obligations.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. LIVINGSTON) to revise and extend their remarks and include extraneous material:)

Mr. BATEMAN, for 60 minutes each day, on October 20 and 21.

Mr. LIVINGSTON, for 5 minutes, today.

Mr. TALENT, for 60 minutes each day, on November 3, 10, 17, and 23.

Mr. DORNAN, for 60 minutes each day, on November 17 and 23.

Mr. DORNAN, for 5 minutes, today.

(The following Members (at the request of Mr. KANJORSKI) to revise and extend their remarks and include extraneous material:)

Mr. KOPETSKI, for 60 minutes, today.

Mr. THORNTON, for 60 minutes, on October 20.

### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LIVINGSTON) and to include extraneous matter:)

Mr. COBLE.  
Mr. BURTON of Indiana.  
Mr. SOLOMON.  
Mr. BILIRAKIS.  
Mr. GILMAN in two instances.  
Mr. FAWELL.  
Mrs. BENTLEY in two instances.  
Mr. BAKER of California.  
Mr. GOODLING.

(The following Members (at the request of Mr. KANJORSKI) and to include extraneous matter:)

Mrs. MALONEY in two instances.  
Mr. CLAY.  
Mr. JACOBS.  
Mr. BORSKI.  
Mr. BROWN of California.  
Mr. KANJORSKI.  
Ms. DELAURO in two instances.  
Ms. PELOSI.

(The following Members (at the request of Mr. DREIER) and to include extraneous matter:)

Mr. MENENDEZ.  
Mr. MFUME.  
Mr. KENNEDY.  
Mr. DELLUMS.  
Ms. SNOWE.  
Mr. MAZZOLI.  
Mr. HOCHBRUECKNER.  
Mr. MCDERMOTT.

### SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 537. An act for the relief of Tania Gil Compton; to the Committee on the Judiciary.

S. 760. An act for the relief of Leteane Monatsi; to the Committee on the Judiciary.

### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2399. An act to provide for the settlement of land claims of the Catawba Tribe of Indians in the State of South Carolina and the restoration of the Federal trust relationship with the Tribe, and for other purposes.

H.R. 2493. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1994, and for other purposes.

H.J. Res. 218. Joint resolution designating October 16, 1993, and October 16, 1994, each as World Food Day.

H.J. Res. 265. Joint resolution to designate October 19, 1993, as "National Mammography Day."

### SENATE ENROLLED JOINT RESOLUTION

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 92. Joint resolution to designate the month of October 1993 as "National Down Syndrome Awareness Month."

### ADJOURNMENT

Mr. DREIER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 51 minutes p.m.), under its previous order, the House adjourned until Monday, October 18, 1993, at 12 noon.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of California: Committee on Natural Resources, Senate Joint Resolution 78. An act designating the beach at 53 degrees 53'51"N, 166 degrees 34'15"W to 53 degrees 53'48"N, 166 degrees 34'21"W on Hog Island, which lies in the Northeast Bay of Unalaska, AK, as "Arkansas Beach" in commemoration of the 206th regiment of the National Guard, who served during the Japanese attack on Dutch Harbor, Unalaska, on June 3 and 4, 1942 (Rept. 103-294). Referred to the House Calendar.

Mr. HALL of Ohio: Committee on Rules, House Resolution 276. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-295). Referred to the House Calendar.

Mr. HAMILTON: Committee on Foreign Affairs. H.R. 3225. A bill to support the transition to nonracial democracy in South Africa; with an amendment (Rept. 103-296 Pt. 1). Ordered to be printed.

Mr. HAMILTON: Committee on Foreign Affairs. H.R. 3000. A bill for reform in emerging new democracies and support and help for improved partnership with Russia, Ukraine, and other new independent states of the former Soviet Union; with an amendment (Rept. 103-297 Pt. 1). Ordered to be printed.

Mr. YATES: Committee of Conference. Conference report on H.R. 2520. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-299). Ordered to be printed.

### REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. MINETA: Committee on Public Works and Transportation.

H.R. 881. A bill to prohibit smoking in Federal buildings; with an amendment; referred to the Committee on Government Operations for a period ending not later than November 12, 1993, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of the committee pursuant to clause 1(j), rule X (Rept. 103-298, Pt. 1). Ordered to be printed.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GILMAN (for himself and Mr. SPENCE):

H.R. 3292. A bill to prohibit funding for the involvement of the United States Armed Forces in Somalia after January 31, 1994; jointly, to the Committees on Foreign Affairs, Rules, and Armed Services.

By Mr. ACKERMAN (for himself, Mr. YOUNG of Alaska, Mr. HOCHBRUECKNER, Mr. LEVY, Mr. MANTON, Mr. KING, Mr. FIELDS of Texas, Mr. BATEMAN, Mr. LIPINSKI, Mr. LAZIO, Mr. HEFLEY, Mr. STUDDS, Mr. HANSEN, and Mr. FISH):

H.R. 3293. A bill to prohibit the imposition of additional charges or fees for attendance at the U.S. Military Academy, the U.S. Naval Academy, the U.S. Air Force Academy, the U.S. Coast Guard Academy, and the U.S. Merchant Marine Academy; jointly, to the Committees on Armed Services and Merchant Marine and Fisheries.

By Mr. BARRETT of Wisconsin:

H.R. 3294. A bill to amend title XVIII of the Social Security Act to include services provided at any Federally qualified health center by interns and residents in a medical residency training program of a hospital in determining the amount of payment to the hospital under the Medicare Program for the costs of graduate medical education if the hospital incurs any of the costs of providing the services, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. BORSKI:

H.R. 3295. A bill to improve the ability of the Federal Government to prepare for and respond to major disasters, and for other purposes; jointly, to the Committees on Public Works and Transportation, Banking, Finance and Urban Affairs, and Armed Services.

By Mr. KENNEDY:

H.R. 3296. A bill to amend the National Housing Act to authorize the Secretary of Housing and Urban Development to insure mortgages given to secure loans that are made to refinance single-family homes having appraised values that are less than the outstanding principal obligations refinanced; to the Committee on Banking, Finance and Urban Affairs.

By Mrs. MORELLA:

H.R. 3297. A bill to amend title 5, United States Code, to extend the treatment currently afforded to Federal judges under the Federal Employees Group Life Insurance Program to certain other judicial officials;



to the Committee on Post Office and Civil Service.

By Ms. WATERS

H.R. 3298. A bill to amend title XII of the National Housing Act to establish a national property reinsurance program to ensure the availability and affordability of property insurance in underserved areas; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PETE GEREN of Texas:

H.J. Res. 278. Joint resolution designating the week of March 21 through 27, 1994, as "National Long-Term Care Administrators Week"; to the Committee on Post Office and Civil Service.

By Mr. CONDIT (for himself, Mr. ROBERTS, Mr. MORAN, Mr. CLINGER, Mr. PETE GEREN of Texas, Mr. POMBO, Mr. BARCA of Wisconsin, and Mr. GOODLING):

H. Res. 277. Resolution expressing the sense of the House of Representatives respecting unfunded mandates; to the Committee on Government Operations.

By Mr. KASICH (for himself, Mrs. SCHROEDER, Mr. CONDIT, Mr. CRAPO, Mr. LIGHTFOOT, Mr. HALL of Ohio, Ms. WATERS, Mr. RAVENEL, Mr. ABERCROMBIE, Mr. DE LUGO, Mr. PORTMAN, Mr. CRAMER, Mr. FILNER, Mr. KINGSTON, Mr. HOEKSTRA, Mr. ORTIZ, Ms. PRYCE of Ohio, and Mr. LIPINSKI):

H. Res. 278. Resolution amending the Rules of the House of Representatives to permit Members, in specified circumstances, to vote by secure electronic device from their districts; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Mr. GILCHREST introduced a bill (H.R. 3299) to clear certain impediments to the licensing of a vessel for employment in the coastwise trade and fisheries of the United States; which was referred to the Committee on Merchant Marine and Fisheries.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 323: Mr. LEVY.  
H.R. 401: Mr. GINGRICH.  
H.R. 493: Mr. FRANKS of New Jersey, Mr. BAKER of Louisiana, Mr. SKEEN, and Mr. FRANKS of Connecticut.  
H.R. 794: Mr. MEEHAN, Mrs. JOHNSON of Connecticut, Ms. WOOLSEY, Mr. INHOFE, and Mr. MACHTLEY.  
H.R. 796: Ms. SHEPHERD.  
H.R. 825: Mr. RANGEL.  
H.R. 830: Mr. GILCHREST, Mr. MCCRERY, Mr. REGULA, Mr. THOMAS of California, and Mr. SMITH of New Jersey.  
H.R. 1056: Mr. HUTTO, Mr. SHAW, Mr. ANDREWS of New Jersey, Mr. SANDERS, Mr. SAXTON, Mr. MANTON, and Mr. RAVENEL.  
H.R. 1133: Mr. BARGIA of Michigan, Mr. PORTER, Mr. CASTLE, Mr. ROMERO-BARCELO, Mr. HALL of Ohio, Mr. GOSS, Ms. LONG, Mr. KLINK, Mr. TORKILDSEN, Mr. DELLUMS, Ms. HARMAN, and Mr. BARCA of Wisconsin.

H.R. 1322: Mr. SMITH of Oregon, Mr. DEAL, Mr. FISH, Mr. HALL of Texas, and Mr. JEFFERSON.

H.R. 1424: Mr. WILSON.  
H.R. 1609: Mr. RUSH.  
H.R. 1627: Mr. MURPHY.  
H.R. 1889: Mr. BISHOP.  
H.R. 1924: Mr. SANDERS.  
H.R. 1938: Mr. JEFFERSON.

H.R. 1999: Mr. MCNULTY, Mr. SOLOMON, Mr. GINGRICH, Mr. MACHTLEY, Mr. CRAPO, Mr. ORTON, Mr. COX, Mr. BARRETT of Nebraska, Mr. SPRATT, and Mr. BEREUTER.

H.R. 2043: Mr. NEAL of North Carolina.  
H.R. 2226: Mr. MACHTLEY.

H.R. 2292: Mr. WASHINGTON and Mr. DELLUMS.

H.R. 2308: Mr. RUSH, Mrs. SCHROEDER, Mr. DUNCAN, Mr. BOEHLERT, and Ms. WOOLSEY.

H.R. 2415: Mr. GALLEGLY.  
H.R. 2447: Mr. BOEHLERT, Mr. GILMAN, Mr. KOPETSKI, and Mr. REED.

H.R. 2727: Mr. CARDIN.  
H.R. 2884: Mr. GILLMOR and Ms. SNOWE.

H.R. 2953: Mr. BLILEY, Mr. FAWELL, Mr. HERGER, Mr. COX, and Mr. PORTMAN.

H.R. 3024: Mr. PACKARD.  
H.R. 3030: Mr. SCHIFF.

H.R. 3041: Mr. KLEIN.  
H.R. 3084: Mr. STUPAK and Mr. JEFFERSON.

H.R. 3125: Mr. DOOLITTLE.  
H.R. 3173: Mr. MURTHA, Mr. WALSH, and Mr. McMILLAN.

H.R. 3208: Mr. LaFALCE.  
H.R. 3284: Mr. CUNNINGHAM, Mr. SOLOMON, Mr. SPENCE, Mr. HUNTER, Mr. GOODLING, Mr. LINDER, Mr. CRANE, Mr. MYERS of Indiana, Mrs. VUCANOVICH, Ms. DUNN, Mr. SAXTON, Mr. DELAY, Mr. ROBERTS, Mr. ALLARD, Mr. PORTER, Mr. RIDGE, Mr. LIGHTFOOT, Mr. BEREUTER, Mr. HOBSON, Mr. TAYLOR of North Carolina, Mr. COBLE, Mr. QUINN, Mr. SUNDQUIST, Mr. EWING, Mr. HOKE, Mr. MOORHEAD, Mr. HUFFINGTON, Mr. EVERETT, Mr. CALLAHAN, Mr. RAVENEL, Mr. DORNAN, Mr. SCHAEFER, Mr. HOUGHTON, Mr. HANCOCK, Mr. DOOLITTLE, and Mr. McHUGH.

H.J. Res. 113: Mr. SPENCE.  
H.J. Res. 145: Mr. GILMAN, Mr. WALKER, Mr. BARRETT of Nebraska, Mr. MCCOLLUM, Mr. MOORHEAD, Mrs. VUCANOVICH, Mr. SUNDQUIST, Mr. FRANKS of New Jersey, Mr. SENSENBRENNER, Mr. BAKER of Louisiana, and Mr. SCHIFF.

H.J. Res. 205: Mr. FARR, Mr. WYNN, and Mr. KLECZKA.

H.J. Res. 216: Mr. BEREUTER, Mr. FRANKS of Connecticut, Mrs. MORELLA, Mr. HUTTO, Mr. PAYNE of New Jersey, Mr. APPELGATE, Mr. CONYERS, Mr. LAROCCHIO, Mr. ACKERMAN, Mr. DELLUMS, Mr. MACHTLEY, and Mr. POSHARD.

H.J. Res. 242: Mr. DINGELL, Mr. CRAMER, Ms. SLAUGHTER, Mrs. LOWEY, Mr. WAXMAN, Mr. SPENCE, Mr. FOGLETTA, Mr. SAXTON, Mr. HUTTO, Mr. MCDADE, Mr. TORRICELLI, Mr. DELLUMS, Mr. HOCHBRUECKNER, and Mr. JACOBS.

H.J. Res. 246: Mr. ABERCROMBIE, Mr. BILIRAKIS, Mr. JOHNSON of South Dakota, Mr. LIGHTFOOT, Mr. MCCLOSKEY, Mrs. MEYERS of Kansas, Ms. PELOSI, Mr. POSHARD, Mr. RAVENEL, Mr. REED, Ms. ROYBAL-ALLARD, Mr. SERRANO, and Mr. SMITH of Iowa.

H.J. Res. 256: Mr. PACKARD.  
H.J. Res. 268: Mr. FLAKE, Mr. JACOBS, Mr. PASTOR, Mr. HEFNER, Mr. TORKILDSEN, Mr. BROWN of California, Mr. MARKEY, and Ms. KAPTUR.

H.J. Res. 272: Mr. BARCA of Wisconsin, Mr. BROWN of Florida, Mr. HUTTO, Mrs. MORELLA, Mr. MAZZOLI, Mr. MURTHA, Mr. QUINN, Mr. SERRANO, Mr. CALLAHAN, Mr. SISISKY, Mr. MORAN, Mr. NEAL of North Carolina, Mr. LIPINSKI, Mr. CHAPMAN, Mr. SABO, Mr. HOCHBRUECKNER, Mr. PRICE of North Carolina, Mr. MARKEY, Ms. PELOSI, Mr. BOUCHER, Ms. BYRNE, Mr. MARTINEZ, Mr. DURBIN, Mr. FALCOMA, Mr. SAXTON, Mr. MEEHAN, Mr. LIVINGSTON, Mr. GILMAN, Mr. WOLF, Mr. KASICH, Mr. GORDON, Mr. OLVER, Mr. WALSH, Mr. LEVIN, Mr. HUGHES, Ms. MOLINARI, Mr. EVANS, Mr. LANTOS, Mr. PETE GEREN of Texas, Mr. GREENWOOD, Mr. TRAFICANT, Mr. POSHARD, Mr. KLECZKA, Mr. GEKAS, Mr. DIXON, Mr. HOBSON, Mr. PETERSON of Florida, Mr. HEFNER, Mr. KENNEDY, Mr. TOWNS, Mr. MCCLOSKEY, Mr. DE LA GARZA, Mr. BILIRAKIS, Mr. CLEMENT, Mr. MCCOLLUM, Mr. NATCHER, Mr. FILNER, Mrs. KENNELLY, Mr. HYDE, Mr. MCDADE, Mrs. MEYERS of Kansas, Mr. KLEIN, Mr. RAVENEL, Mr. SWETT, Mr. SMITH of Oregon, Mr. YOUNG of Alaska, Mr. ANDREWS of New Jersey, Mrs. BENTLEY, and Mr. THOMPSON.

H. Con. Res. 135: Mr. DEUTSCH, Mr. BARLOW, and Mr. FISH.

H. Con. Res. 163: Mr. HOEKSTRA, Mr. COBLE, and Mr. WALSH.

H. Res. 33: Mr. FRANK of Massachusetts.  
H. Res. 237: Mr. BILIRAKIS, Mr. HYDE, Mr. PORTMAN, Mr. ROBERTS, Mr. TAYLOR of North Carolina, Mr. TORKILDSEN, and Mr. YOUNG of Alaska.

H. Res. 239: Mr. PORTMAN.  
H. Res. 247: Mr. PACKARD and Mr. GUNDERSON.

#### DISCHARGE PETITIONS

Under clause 3 of rule XXVII, the following discharge petitions were filed:

Petition 7, October 14, 1993, by Mr. PETERSON of Minnesota on House Joint Resolution 146 has been signed by the following Member: Collin C. Peterson.

Petition 8, October 14, 1993, by Mr. PETERSON of Minnesota on House Resolution 125 has been signed by the following Member: Collin C. Peterson.

#### DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 1 by Mr. SOLOMON on H.R. 493: Joe Skeen, Curt Weldon, Jan Meyers, Dan Burton, and Gary A. Franks.

Petition 3 by Mr. MCCOLLUM on House Joint Resolution 38: Gary A. Franks.

Petition 4 by Mr. HOEKSTRA on House Joint Resolution 9: Joe Skeen, Doug Bereuter, Bill Barrett, David A. Levy, Peter T. King, Jan Meyers, and Ike Skelton.

Petition 5 by Mr. STEARNS on House Resolution 156: Michael N. Castle, Gary A. Franks, and Stephen Horn.

Petition 6 by Mr. SENSENBRENNER on H.R. 1025: George J. Hochbrueckner, Constance A. Morella, Peter G. Torkildsen, and Stephen Horn.

## EXTENSIONS OF REMARKS

## FREEDOM HOUSE AND HUMAN RIGHTS

## HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. MENENDEZ. Mr. Speaker, at the World Human Rights Conference this summer in Vienna, Austria, several dictatorial governments campaigned to reject officially the notion that human rights are universal in nature. The United States and other democracies took principled exception to this position and prevailed, as the final declaration of the Conference recognized formally that human rights cannot be conditioned to economic development, history, culture, or other considerations.

Freedom House, since its founding more than 50 years ago, is a distinguished organization that has been defending democracy and human rights everywhere and setting a standard for other human rights organizations throughout the world. I am pleased to bring to the attention of my colleagues in the House of Representatives and my constituents in New Jersey an article, "Ballots Over Bullets Ideology Sweeping World, With Some Exceptions," by Frank Calzon. Mr. Calzon is the Freedom House Washington representative and a long-time champion for human rights throughout the world. The article has been published in several newspapers, including the San Juan Star.

[From the San Juan Star, Sept. 10, 1993]

"BALLOTS OVER BULLETS" IDEOLOGY  
SWEEPING WORLD WITH SOME EXCEPTIONS  
(By Frank Calzon)

At the recently concluded United Nations World Conference on Human Rights in Vienna, the Chinese government denounced Western insistence on a single standard for human rights.

The Chinese government's claims, which were supported by Havana and several other regimes, lost out at the insistence of Western democracies and several members of the former Soviet bloc.

The challenge to a single worldwide standard for human rights is less than credible, coming from governments known for their systematic violation of their citizens' most basic rights. And it brings to mind the discredited claims of the old imperial powers: France, Belgium, Great Britain, etc., which earlier in the century justified colonial rule by saying their colonies were not prepared to exercise the rights taken for granted at home.

What bothers the despots is the democratic tide engulfing the world, a veritable human rights revolution that is not limited to the former Communist bloc. The preeminence of "ballots over bullets," opened the way to transitions to civilian rule and the rule of law that have taken place in every region of the earth.

Indeed the powerless have recognized their power not only in Prague, but also in Mos-

cow and Budapest, Buenos Aires and Manila. Even South Africa, with one of the most intractable political quandaries of our times, is in the midst of a serious search for a peaceful political settlement.

Who would have thought a few years ago that on the Fourth of July, Nelson Mandela and F.W. de Klerk would receive the Philadelphia Liberty Medal from the hands of the American president?

The dictators face a difficult predicament: While they argue that observance of fundamental rights must be conditioned by economics, tradition and culture, their instruments of repression and their tactics mirror one another. A hundred years ago, José Martí, the Cuban poet, wrote that "Tyranny is the same in all its shapes, even though sometimes it dresses in handsome names and grand deeds."

And if in the 19th century tyranny was the same, in the 20th century totalitarian regimes share more than their belief in Marxist dialectics. Thirty years ago, Jeanne Kirkpatrick wrote a book about worldwide communist tactics entitled, "The Strategy of Deception," in which she identified the communist desire for unlimited, permanent power and their elaborate schemes of deception.

Perhaps one story by Alexander Solzhenitsyn will illustrate the point. Solzhenitsyn tells how one day, during the time of the fiercest Stalinist repression, when thousands upon thousands were being shipped to the savage nightmare of the concentration camps, a fleet of freshly painted trucks appeared on the streets of Moscow in the very early hours of the morning.

Their mission: to round up the unfortunate on their long journey through the system of concentration camps known as the Soviet Gulag. The trucks' side panels bore bold signs: "Fresh Vegetables," "Meat," and "Bread." A Western correspondent promptly reported a welcome increase in the availability of fresh produce in the Russian capital.

A glimpse at the nature of Chinese communism is related by the novelist Bette Bao Lord, in her book "Legacies." Born in China and raised in the United States, she returned to China with her husband who had been appointed American ambassador to Beijing. She asked to visit relatives she had not seen in years, and after some delay was permitted to do so, accompanied by a foreign ministry escort.

Her uncle's apartment "was more spacious and much better furnished than all the others she had seen in China. His clothes were in excellent condition. So were those of the rest of the family. Everyone boasted of the good life. No one, however, seemed at ease." And Lord "began to think that her aunt . . . was a mite daft. She kept opening and closing drawers and losing her way in the three-room apartment . . ."

Lord says that she did not suspect the truth. "Ten years later, her aunt, who turned out to be most intelligent," told her that before her arrival, "hundreds of people who lived within sight of the route she would take from the airport had been ordered to clean, to paint, to parade in their finest as she passed. And moments before the plane

landed, her uncle and his family had been issued new clothes, and snatched up and deposited in the apartment of a high-level cadre."

As soon as she left, Lord wrote, "they were returned to their shabby home and handed a bill for the clothes."

Most Cubans, North Koreans, Poles or Russians, could have projected the end of the story.

Some years ago, the Rev. Jesse Jackson visited Cuba, and to his credit, did more than join Castro at a Christian church in Havana. He urged Castro to release several political prisoners. As a gracious host, Castro approved Rev. Jackson's visit to a prison. A few days before the visit, the steel planks covering the cells and blocking the flow of air in the halls were removed and the walls of the halls he was going to be shown were painted.

Had Jackson gone through the wrong door, he would have seen another kind of prison.

The minister's visit also had a Marxist dimension—Groucho, not Karl. When he arrived, Jackson saw a group of political prisoners enthusiastically playing baseball. He was pleased to see that the prisoners had gloves, bats, and even uniforms.

But shortly after his arrival to the United States, one of the political prisoners who had been released to him provided additional details. Early in the morning on the day of Jackson's visit, the prisoners had been rounded up, given the sports equipment and uniforms, and ordered to start the game.

Unfortunately, due to delays in Jackson's schedule, by the time he arrived they were already in the 15th inning!

After the good minister left, the gloves, bats, and uniforms were quickly retrieved, ready for display again when a new foreign visitor of sufficient stature passed through Havana.

In today's global village, freedom and repression affect all of us. Though the final declaration agreed on at the Vienna conference held that states must observe the principles of human rights "regardless of their political, economic, and cultural systems," the assault on human rights from repressive regimes is certain to continue.

# INTRODUCTION OF LEGISLATION TO EXPEDITE UNITED STATES WITHDRAWAL FROM SOMALIA, H.R. 3292

## HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. GILMAN. Mr. Speaker, today, along with Mr. SPENCE, the ranking Republican member of the Armed Services Committee, I am introducing legislation to require the withdrawal of United States forces from Somalia by January 31, 1994. This legislation is modeled after an amendment to the Defense appropriations bill offered this week by Senator BYRD. A modified Byrd amendment was adopted by the Senate last night, after agreement was reached to accept the President's target date of March 31,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



1994, for the withdrawal of United States forces from Somalia.

I commend the Senate, and particularly Senator BYRD, for confronting the Somalia issue head on. I cannot agree, however, that United States forces should remain in Somalia until March 31.

The President submitted a report to us earlier this week outlining his policy for Somalia. That report was required by the Gilman-Gephardt amendment to the Defense authorization bill adopted by the House last month.

The good news about that report is that it finally acknowledged what many of us have been saying for a long time: that United States policy in Somalia has been perilously off course.

For example, the report reiterated the target date of March 31 for withdrawing United States forces from Somalia first specified by the President in his address to the Nation last week. That date is a big improvement over the President's earlier timetable, which many of us had criticized as open-ended. In a September 3 response to some questions I had asked about U.S. policy, the State Department told me that, "Our goal is for the withdrawal of U.S. forces early in 1995," but that it was "too early to gauge the full extent to which General Aideed's attacks on U.N. and U.S. forces have affected the timing of the withdrawal of U.S. troops."

The report also reversed the drift from humanitarian to political objectives that has characterized administration policy in Somalia since last spring. Indeed, the report asserted that, "The United States goal in Somalia is humanitarian" and that, "At no time have United States forces been tasked with such missions as 'nation building.'" This is not true, of course. Let us recall what the United States representative to the United Nations said to the Security Council just 3 weeks ago: "My government has always seen the U.N.'s mission in Somalia as political in nature; helping the Somali people to reestablish their political structures and democratic institutions. Nothing is more important in Somalia than this political goal."

The good news, therefore, about the President's report is that it finally recognized that the administration's previous policy was leading us nowhere. The bad news is that the report offers no coherent rationale for keeping United States forces in Somalia until March 31.

The President makes clear that he thinks it would be disastrous for the United States to cut and run in Somalia right now. But then he promises that we will cut and run on March 31 even if there has been no political settlement in that country. In the meantime, we are more than doubling the level of United States forces in and near Somalia to demonstrate to the warlords that they can't push us around. And now we have entered a de facto cease fire and are exchanging prisoners.

General Aideed and the other warlords must find all this very amusing. Does anyone think General Aideed will make real concessions at the negotiating table when we have already announced that we're leaving in 6 months even if he doesn't meet our terms?

So why are we keeping our forces at risk in Somalia for another 6 months? I believe that

it is for one of the oldest and most understandable of reasons: so that those who made the mistakes that brought us to where we are today do not lose face.

I submit that that is not a sound enough reason to put American service men and women at risk. Our forces should come home as expeditiously as possible, and they should be replaced by U.N. troops from other countries who will carry on the initial mission of getting food to the hungry.

I know of no reason why that process cannot be completed by January 31. That is the date I have specified in our bill for completing the withdrawal of U.S. forces. If the President finds that he needs more time, our bill provides expedited procedures by which he can ask Congress to extend that date.

Congress has a responsibility to the American people to debate and vote upon administration policy in Somalia. I hope our bill becomes the vehicle by which we fulfill that responsibility.

Mr. Speaker, I insert the entire text of this bill at this point in the RECORD:

H.R. 3292

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. UNITED STATES ARMED FORCES IN SOMALIA.

(a) FINDINGS.—The Congress finds that—

(1) the United States entered into Operation Restore Hope in December of 1992, for the purpose of relieving mass starvation in Somalia;

(2) the original humanitarian mission was successfully accomplished by United States Armed Forces, and an expanded mission was assumed by the United Nations on May 4, 1993, pursuant to United Nations Security Council Resolution 814 of March 26, 1993;

(3) neither the expanded United Nations mission of national reconciliation nor any other mission not strictly humanitarian in nature has been endorsed or approved by the Congress;

(4) the expanded mission of the United Nations was, subsequent to an attack upon United Nations forces, diverted into a mission aimed primarily at capturing certain persons pursuant to United Nations Security Council Resolution 837 of June 6, 1993; and

(5) the actions of hostile elements in Mogadishu, and the United Nations mission to subdue those elements, have resulted in open conflict in Mogadishu and the deaths of 29 members of the United States Armed Forces.

(b) APPROVAL OF USE OF ARMED FORCES FOR CERTAIN LIMITED PURPOSES.—The Congress approves the use of United States Armed Forces in Somalia exclusively for the following purposes:

(1) The protection of United States personnel, citizens, and facilities.

(2) The provision of assistance in securing open lines of communication for the free flow of supplies and relief operations through the provision of—

(A) United States military logistical support services to United Nations forces; and

(B) United States combat forces in a security role and as an interim supplement to United Nations combat units for use in emergencies.

(c) COMMAND AND CONTROL OF US COMBAT FORCES.—United States combat forces in Somalia shall be under the exclusive command and control of United States commanders under the ultimate direction of the President of the United States.

(d) LIMITATION.—(1) Funds appropriated or otherwise made available in any Act to the Department of Defense may be obligated for expenses incurred only through the period ending January 31, 1994, for operations of United States Armed Forces in Somalia.

(2) The limitation contained in paragraph (1) shall not apply to any temporary deployment of United States Armed Forces in Somalia for the purposes of evacuating United States personnel or United States citizens from a situation of imminent danger.

(e) EXTENSION.—The period specified in subsection (d)(1) may be extended if so requested by the President and authorized by the Congress. In seeking such an extension, the President may submit only 1 request to the Congress under the preceding sentence.

(f) EXPEDITED PROCEDURES.—(1) For purposes of paragraph (2), the term "joint resolution" means a joint resolution the text of which is as follows: "That the period specified in section 1(d)(1) of the joint resolution entitled 'Joint Resolution to prohibit funding for the involvement of the United States Armed Forces in Somalia after January 31, 1994,' is hereby extended until the date specified in the request submitted by the President to the Congress pursuant to section 1(e) of that joint resolution."

(2) A joint resolution described in paragraph (1) shall be considered in accordance with the procedures applicable to joint resolutions under section 212 of Public Law 99-500 and 99-591 (100 Stat. 3341-304).

#### TRIBUTE TO BANANAS

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. DELLUMS. Mr. Speaker, I rise today to pay tribute to the accomplishments of Bananas in celebration of 20 years of service to the parents, child care providers, and communities of northern Alameda County, CA.

The name "Bananas" is unique and came about as the result of many women going bananas looking for child care. The founders of Bananas, Judy Calder, Betty Cohen, Arlyce Currie, and Jo Ellen Spencer had a vision to provide quality, accessible, and affordable child care for those who needed it. Bananas is a community-based group that provides invaluable information, referral, subsidies, and support services to countless parents and providers in northern Alameda County. Other services are vendor programs which help low-income northern Alameda County parents pay for child care, parent workshops, and support groups on a variety of topics related to work and family life. They have worked tirelessly for a national child care policy and national child care standards as well as serving as a model for a community-based organization that provides multiple services related to child care and parenting.

Bananas, a forerunner in child care information and services, has never wavered from its commitment to improve the quality of child care services in its local community, the State of California, and the country as a whole. They are acutely aware that the future of our country rests in the hands of our children.

My colleagues, as we move through our legislative functions to redirect this country's priority, let us look at Bananas as a model with

its credible two decades of experience to set the direction of our priority—the health and well-being of our children.

**LIGHTHOUSE, INC., CELEBRATES  
DRIVE FOR NEW HEADQUARTERS**

**HON. CAROLYN B. MALONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 15, 1993*

Mrs. MALONEY. Mr. Speaker, I rise today to bring to the attention of my colleagues an important event which I attended in my district on October 5. That event was a cornerstone ceremony celebrating the construction of a new headquarters, the Lighthouse National Center for Vision and Aging.

Mr. Speaker, I am proud to represent a district that counts among its many assets the Lighthouse National Center for Vision and Aging. This important organization was established to promote the interest of older people with, or at risk of incurring, visual impairment. Every year, millions of older people develop eye conditions that lead to partial sight.

The Lighthouse National Center for Vision and Aging provides the Nation's largest clinical low vision practice serving nearly 2,000 patients every year. The construction of this new headquarters marks yet another stage in Lighthouse's remarkable growth. It will allow Lighthouse to continue to provide its low vision continuing education program and to serve specialists around the country with its Lighthouse low-vision products.

Because the Lighthouse National Center for Vision and Aging has helped so many older people overcome visual limitations, I would like to ask my colleagues to salute this organization for its special and important work and wish them the best in their new headquarters.

**MILFORD COLUMBUS 500  
COMMITTEE HONORS JIM AGRO**

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 15, 1993*

Ms. DeLAURO. Mr. Speaker, tonight the Milford Columbus 500 Committee will assemble to honor a man who has been a friend, a neighbor, and a leader in Milford: Jim Agro.

A lifelong resident of Milford, Joseph "Jim" Agro, his wife Sarah, and their children and grandchildren represent what many of us like to think of as the American dream. After serving in the U.S. Army Air Force during World War II, Jim returned to Milford and worked as a mason until he eventually established his own business, the Agro Construction Co.

In addition to being a local businessman, Jim has been an integral part of daily life in Milford in his contribution of time, energy, and spirit to the community. Through the years, he has coached athletic teams, led the area Boy Scouts, joined the New Haven County Home Builders Association as a charter member, and served 4 years as alderman. A lifetime parishioner of St. Mary's, Jim has provided the

church with his time, his leadership, and his masonry talents on countless occasions.

One of Jim's most recent contributions has been to the Milford Columbus 500 Committee. The committee was originally established to prepare for the 500th anniversary of Columbus' arrival in the New World in 1992. The good work of the organization, like the vision of Columbus himself, continues long after its original goals were accomplished. This year, the committee established an annual scholarship program for collegebound residents of Milford. The vision of Christopher Columbus led our ancestors to this Nation. Here, our families were allowed to follow their own dreams. Today, the Milford Columbus 500 Committee is helping young residents of Milford discover what their dreams are through the power of education.

It is fitting that the Milford 500 Columbus Committee has chosen to honor tonight the contributions of a man who has himself achieved the American dream.

**WHY DOESN'T THE MEXICAN GOVERNMENT  
EXTRADITE SUSPECTED FELONS OR TRY THEM  
UNDER MEXICAN LAW?**

**HON. GEORGE E. BROWN, JR.**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 15, 1993*

Mr. BROWN of California. Mr. Speaker, whether one is for or against or undecided about the pending NAFTA, there is no doubt that it carries policy implications far beyond just commercial considerations between the United States and Mexico. Fundamentally, it is about the rule of law within and across national borders and the responsibility of national governments to enforce national laws and uphold international treaty obligations.

In this context and as the NAFTA lobbying grows more intense, a couple of stark related facts give me real concern.

First, the Mexican Government has never allowed any Mexican national to be formally extradited to stand trial for a crime committed in the United States.

Second, according to United States Justice Department officials, the Mexican Government has prosecuted less than 50 percent of the felony cases that involve Mexican fugitives who are suspected of having committed crimes in Los Angeles County, even when United States law enforcement authorities have provided information to facilitate prosecutions in Mexico.

I urge my colleagues to read and reflect upon the following two columns that Mike Royko published this week. They express some common sense concerns and questions that our constituents are certain to put to us for answers. Sadly, I have not received any convincing answers from either the Mexican Government or from the NAFTA salesmen blanketing Capitol Hill.

[From the Chicago Tribune, Oct. 13, 1993]

**MEXICAN FELONS JUST RUN FOR THE BORDER**

(By Mike Royko)

Many Southern Californians, politicians included, are being accused of lacking sensitivity and humanity because they are fed

up with the stream of Mexicans who pour across the border.

Most complain about the hundreds of millions of their tax dollars that are spent on schooling, medical care and law enforcement for the illegal aliens.

But there is a lesser-known problem, which I touched on in yesterday's column.

And that is the ease with which some of the illegal aliens literally get away with murder and other crimes. The process is simple: You murder someone, then dash back across the border of Mexico, and you're home free.

That's because the Mexican government appears to believe that our extradition treaty is a one-way street. They expect the United States to send them American criminals who have committed crimes in Mexico. And we do that.

But Mexico doesn't believe in extraditing Mexicans who have committed crimes in this country.

In yesterday's column, I described the case of Serapio Zuniga Rios, 29, who is accused of raping and almost killing a 5-year-old girl.

He ducked back to Mexico and is still at large, although Mexican authorities apparently knew where he could be found but did not grab him and ship him to California for trial.

But Rios is just one of many violent border-hoppers.

Recently a sampling of other crimes was put together by Sheriff Cois Byrd, of Riverside County. In each case, the suspected criminal went back to Mexico, safe from arrest and prosecution.

Here are thumbnail sketches of some of the crimes:

A man was robbed of \$10,000. Then he was bound, gagged, set afire and burned to death. When police closed in on the suspected killer, he dashed for the border. As the report said: "Mexican authorities advised they would not extradite Mr. Marcos Garcia, as he is a Mexican national."

A woman accepted a lift home from a man she met in a bar. On the way, he raped her. When she jumped from the car to escape, the man ran her down with his car. She later died. The man headed for Mexico. California police contacted the Mexican police in the suspected killer's hometown. The Mexican police promised to question the man. The results? As the report said: "Investigators received a telephone call from a relative of the suspect. The relative said the Mexican police did contact the suspect and took him away for questioning. The suspect returned a short while later, explaining he bribed the police with 3 million pesos [\$900] to let him go. The suspect fled to Mexico City."

A guy was waiting for his girlfriend outside of her home. An ex-boyfriend drove by. The ex-boyfriend was the jealous type and put five bullets into the new boyfriend. The report says: "The suspect fled to Vera Cruz, Mexico."

There was a poker game. One of the players was accused of cheating and there was a fistfight. The cheat lost. But he went home, got a gun, came back, and killed the guy who had punched him. The report says: "The suspect fled to Mexicali, Mexico."

Three men were shooting pool. They argued about the bets or some such thing. One of them left the bar angry. When the other two came out, the angry fellow was waiting and shot one of them to death. Says the report: "Fled to Mexico and is believed to be in Guerrero."

The woman had borrowed \$2,000. The two men came to collect. The woman said she



didn't have the money and didn't know when she could pay. That made the men angry, so one of them shot her in the head. The report says: "Both are believed to have fled to Michoacan, Mexico."

Miguel is driving somewhere when he spots two men he believes recently stole something from him. Miguel is a man of action. He grabs his gun and blazes away at the car, killing both men. Report: "Believed to have fled to Juaregui, Mexico."

The list goes on and on. A man is killed because he tried to retrieve a stolen welding tool from a thief. Another is shot in a bar-room brawl. A man doesn't like the way his sister is treated by her husband, so he kills the brother-in-law. Three boozers have a quarrel, and one of them is stabbed 24 times. A woman dumps her boyfriend, so he kills her. A woman chides her boyfriend for coming home drunk, so he shoots her and her sister and runs them over with his car.

And those are just some of the border-hopping criminals in only one California county.

Sheriff Byrd, sounding a bit frustrated, said in a letter to Congressman George E. Brown:

"The ability of offenders to flee to another country, \* \* \* knowing that the crossing of a border is similar to entering a safe house, is not acceptable. \* \* \* There should be no free zones where criminal offenders can hide from justice."

Mexican politicians and police don't agree, unless they want an American extradited. And they can get downright indignant when we want one of their criminally inclined citizens. When our narcs snatched a Mexican doctor, suspected of being involved in the murder of an American agent, Mexican politicians turned it into an international incident and insult.

But Rep. Brown is capable of indignation too. So he and several other congressmen have decided to use the timing of the NAFTA negotiations to call attention to the one-way extradition street. They argue that we can't trust Mexican politicians in a historic economic deal if we can't get them to ship us some murderers and rapists.

I don't know if that is a valid argument. But it might be effective. Most Americans aren't economists. But they know what rape and murder are. And what fairness is too.

[From the Chicago Tribune, Oct. 12, 1993]

MEXICO HAS LIMITS ON WHAT IT TRADES

(By Mike Royko)

If you listen to the economic experts who are in favor of the North American Free Trade Agreement, they seem to make a lot of sense.

But if you listen to the economic experts who oppose NAFTA, they seem to make a lot of sense.

That's the trouble with economic experts. You could probably find one who said both sides are wrong, and he'd make a lot of sense, too.

But after months of confusion, I've finally made up my mind, at least for the time being, which could be an hour or forever.

And my position has nothing to do with the arguments about the potential loss of jobs, the opening of new markets for exports, or any of the other widely debated points.

I am against NAFTA because of Serapio Zuniga Rios, 29, who is accused of being a really loathsome guy.

You've probably never heard of Serapio Zuniga Rios. I hadn't either, until a few days ago.

I was drowsily watching congressmen jabbering on C-SPAN, marveling that they get

paid such handsome salaries and marvelous fringe benefits for making speeches so boring they would be barred by most Chicago taverns.

But then one of them got up and talked about Serapio Zuniga Rios.

It seems that this Rios fellow had been a migrant worker in California until about a year ago.

Then a terrible thing happened. A 5-year-old girl was kidnapped, sexually assaulted and left for dead. But she didn't die and the police say they have evidence that the crime was committed by Rios.

However, they couldn't arrest Rios because he scampered back to Mexico, his native land, before they could grab him.

Ah, but Rios was not too bright. He returned to his wife and family in Mexico and took a job driving a truck.

It wasn't that difficult tracking him down. The girl's family hired a private investigator, who slipped some money to Mexican cops and they pinpointed Rios' whereabouts.

So a request was made to have Rios arrested and extradited to this country so he could stand trial for the foul crime.

That seems like a reasonable request, right? Especially between neighboring countries that have so close a relationship.

We ship things back and forth all the time. We ship thousands of tourists and hundreds of millions of tourist dollars to Mexico. We ship American industry and jobs to Mexico.

In turn, Mexico ships tons of drugs and hundreds of thousands of illegal aliens, especially to southern California, where the assault took place.

So there shouldn't be any big deal about Mexico shipping us one accused sex fiend named Rios.

Ah, it isn't that simple.

True, we have an extradition treaty with Mexico. And if citizens of the United States commit criminal acts in Mexico, then run home, our government will send them to Mexico to stand trial. We have done that many times.

But despite the treaty, Mexico doesn't believe in sending Mexicans accused of crimes to this country.

Their position was explained by Bill Gool, an aide to Rep. George Brown, of California, who has been fighting to get Rios returned.

"There is a 1979 extradition treaty that says both countries are supposed to extradite those accused of 31 different felonies. There was a provision added later, for Mexico, that says either they extradite or prosecute the defendant in Mexican courts.

"But they're not doing either. Their position is that their constitution forbids extradition. But it's also a carry-over from the 'anti-gringo' legacy in Mexico. It is culturally unthinkable that any Mexican official would serve up a Mexican national to the United States. They have never extradited even one.

"We have extradited our citizens down there, handed people over to them. They've never given us anybody. The FBI in our region said they have dozens of cases involving Mexican nationals wanted for murder, aggravated assault and rape, and they can't get any help.

"But if we can't get them to cooperate with us in tracking down murderers and rapists, what confidence should American businesses have in the willingness and ability of Mexican officials to protect our interests?"

A reasonable question. You would think that if Mexico is so eager to get NAFTA approved that it has spent tens of millions of dollars lobbying our politicians, it could see

its way clear to part with a few accused murderers and rapists.

So maybe the NAFTA agreement should be amended: For every job we let Mexico pluck from us, we expect one accused child rapist or murderer or other felonious type in return.

And maybe for every Mexican drug merchant the Mexican authorities arrest and convict, another job. For every shipment of dope the Mexican authorities intercept, another job.

I mean, what are a few murderers, rapists, and drug merchants among friends and neighbors?

## TREASURY LAMENT

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. JACOBS. Mr. Speaker, I place in the RECORD poetry from the facile pen of the National Taxpayer's Union, Sid Taylor:

TREASURY LAMENT

(By Sid Taylor)

Our national debt is climbing

The deficits increase

From too much featherbedding

And tax exemption grease.

Red ink is all around us

It's everywhere you look

Somebody stole our money

And we can't even find the book.

What's happened to our assets

We once were rich and free

We're now a Debtor Nation

There goes our Liberty.

We've "indexed" our pay and pensions

So, they're going through the roof

We're running out of money

Somebody made a "goof".

In foreign aid we stumbled

We gave away the farm

Our cash reserve has dwindled

We now face fiscal harm.

So, what is the solution?

We've got to close the till

Before our U.S. Treasury

Starts sliding down the hill.

Let's "de-index" our outlays

And cut out red-ink spending

Bring deficit spenders out of the haze

Then we taxpayers may again see Happy

Days.

## REINVENTING DUE PROCESS OUT OF EXISTENCE

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. CLAY. Mr. Speaker, I wish to call to my colleagues attention the following article by David Levinson, a former chairman of the U.S. Merit Systems Protection Board, that recently appeared in the Washington Post. In the article, Mr. Levinson expresses his view that the National Performance Review has had the effect of placing unwarranted blame on Federal employees and his concern that the Federal Government not be reinvented at the expense

of employees' due process rights. As the Congress begins the process of acting on the administration's proposals for reforming the Government, Mr. Levinson's concern will merit our continuing regard.

[From the Washington Post, Oct. 11, 1993]

#### A FEDERAL FIRING BRIGADE

(By Daniel R. Levinson)

The National Performance Review has announced an ambitious agenda to "reinvent government" by, among other things, reworking the personnel system to make it easier to fire poor performers. For those who have been around the block, this is a familiar refrain. In fact, only 15 years ago, the Civil Service Reform Act was passed to accomplish precisely the same thing. Is this reinventing government or just inventing one more version of the "blame game" that unfairly portrays the federal worker as the cause of the nation's ills?

Nobody is on record as declaring the CSRA perfect, but when it passed in 1978, it was hailed as the most significant change in the federal personnel system since the adoption of the original Civil Service Act of 1883. A main argument in support of it was that it would make it easier to discharge civil servants "for the right reason." Managers were given greater discretion to manage the work force, and a statutorily mandated procedure was established to rehabilitate or remove poor performers.

The National Performance Review complains that it takes a year on average to remove such an employee. Where that statistic comes from is a mystery, but the law certainly doesn't compel such a lengthy period. Current procedures are based on a performance appraisal system that is designed to give an employee with a performance problem a fair opportunity to improve. The lengths of improvement periods are determined by management, but can be as short as 30 days. If the employee still is performing under par, a federal agency can promptly impose a demotion or removal.

The performance review's recommendation to shorten the notice period for employees faced with such adverse actions from 30 to 15 days is especially lame. Notice periods aren't a barrier to more effective government; they make for a more effective government. Cutting the period in half would simply reduce the opportunity for the agency and the employee to consider whether the proposed action is necessarily the right one and explore alternative dispute resolution. And while most federal workers have appeal rights to the Merit Systems Protection Board, the rights are triggered only after the employee is already fired and on the street.

Even if the board's appeals process is thrown into the equation, the new concern about lengthy removal processes is misplaced. The great majority of board appeals are closed in less than three months, and further appellate review might take an additional few months. Is it so detrimental to efficiency to permit civil servants an opportunity for a hearing and decision by a neutral party, all of which occurs after the employee is already on unemployment?

The fact is that the Civil Service Reform Act was specifically designed to deal with the problem of poor performance, and the problem has turned out to be a good deal less significant than many people thought. Every year, the MSPB adjudicates thousands of federal employment disputes (from misconduct and whistleblowing to Hatch Act and retirement matters), and performance cases have never accounted for more than 3 to 4 percent of the caseload.

The National Performance Review has a massive agenda of change to promote, but its unwarranted focus on problem federal employees can only harm the very people who can make the change work. Instead of joining with federal workers, the performance review seeks to curtail workplace due process, a move that runs directly contrary to years of bipartisan consensus in the other direction.

The Civil Service Reform Act, in retrospect, marks only the beginning of what turned out to be a long-term trend toward enhancing federal worker rights. Since the mid-1980s, Democratic Congresses have passed and Republican presidents have signed legislation to extend due process for millions of civil servants in a government-wide effort to ensure that federal workers would be protected from unjust personnel actions. If this sometimes slowed some agencies or programs, it was nevertheless considered an eminently sensible compromise in view of the public interest in having employees uncover fraud, waste and abuse, knowing that they could "blow the whistle" and not be subject to arbitrary firing by an enraged boss.

Nowhere is this kind of employee due process ethic to be found in the work of the National Performance Review. Congress and other interested in the proper functioning of the executive branch must not allow due process for federal employees to be reinvented out of existence.

#### TRIBUTE TO DR. DONALD WOODS THOMAS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. HAMILTON. Mr. Speaker, I rise to pay tribute to the late Dr. D. Woods Thomas for his many contributions and work in the international development field. He believes behind highly significant legacies in both his personal and professional lives. On the personal side he is survived by eight children. It is very unfortunate that he and his wife died this year and that they were unable to enjoy retirement with each other and their children. My sympathies go out to his family.

Dr. Woods was a distinguished professor and administrator at Purdue University. His career spanned almost four decades of eminent service in the international development arena. He played an important role in bridging the agricultural research and university communities with their international counterparts.

Among his many accomplishments are a number of firsts in which he was the first to serve in several key positions: dean of international agriculture at Purdue University; executive director of the Board for International Food and Agricultural Development [BIFAD] which was established under title XII amendment to the 1975 International Development and Food Assistance Act, as amended; chair of several international working groups of the National Association of State Universities and Land-Grant Colleges [NASULGC]; founding director of the Association of U.S. University Directors of International Agricultural Programs [AUSUDIAP], and recipient of its 1983 award for Distinguished Service to International Agriculture.

In addition, Dr. Woods published extensively on a wide variety of topics. He served on numerous boards and advisory groups, and was a consultant to a number of U.S. agencies—Department of State, U.S. Agency for International Development, U.S. Department of Agriculture, the National Academy of Sciences—foundations, the Brazilian Government, and the Organization of African Unity.

Following are two remembrances of Dr. Wood's contributions that I would like to submit for the RECORD. The first is a poem written on the occasion of his retirement entitled "The Wizard and the Seven Giants (An Ode to Title XII)." The second is a statement, issued in April after his death, by the Board for International Food and Agricultural Development and Economic Cooperation [BIFADECO], the successor to BIFAD which he so ably served.

#### THE WIZARD AND THE SEVEN GIANTS (AN ODE TO TITLE XII)

Once lived a famous Wizard, in the glacier plains and valleys of the Ohio,  
Hard by the banks of the Wabash, Hallowed by Tecumseh's warriors, fallen in battles of yore.

Here dwells the Hoosier Wizard, as did his Sylvania ancestors before.

Deeply schooled in the Citadels of learning,  
No secrets to him denied, and brought fame to the Hoosier Wizard in all lands, far and wide.

Here came youth for his succor,  
Came they his secrets to know;  
Like him, a wise man and famous, they all wished to grow.

And it came to pass in the Councils of the Nation, the World's benefactor to be;  
New laws, opening the doors of our Citadels of learning, and baring their secrets to see;

To all in this country and many, and kingdoms beyond freedom's Sea,

To launch the Crusade of enlightenment,  
A Round Table of Seven was born;  
Chairs for Giants of learning,  
Seven were knighted to form.

The Hoosier Wizard carried the banner, and sounded the Clarion call,

Inviting people of all nations to fill our Citadel Halls:

To seek the knowledge offered, and learn the secrets lain hidden behind the sacred walls.

"Four Pillars of Wisdom," the Message of the Crusade read;  
And creation of Citadels of learning,  
Was the Grail, the First of the Pillars, they said.

The Crusade incited the people to action, in search of the Grail, they sped;  
And in the wake of marching millions,  
Icons and walls were shred.

Setting forth the confusion of new freedom, with no border, or trained hands to govern;

Wherefore the Crusade of Learning? Lost to the masses and forgotten, would the Crusade's message be?

For the Wizard, the Retreat was sounded, its plaintive notes rang forth;

It saddened his heart, and he wavered on entering retirement's door,

Then another note, not muffled,

The music of the Crusade's challenge came forth, and the Wizard heard the message, loud and clear once more.

Not lost in the masses, the Wizard said aloud!



The youth of the far off lands were awakened.

And into the Citadel Halls they poured, responding the Crusade's message, they came;

All searching for wisdom's hidden secrets; And, like him, a Wizard, all wishing to be.

The heart of the Hoosier Wizard was gladdened;

His life-long dream come true,  
As he stepped into the peace of Retirement;  
What more in this World, could a good Wizard do?

(By William Frederick Johnson, 1-4-1993: BIFADEC, Wash. D.C. Dedicated to Dr. D. Woods Thomas, Purdue University, on the occasion of his retirement, January 15, 1993, and to the Title XII Amendment of the International Development and Food Assistance Act of 1975, as amended.)

**BOARD FOR INTERNATIONAL FOOD  
AND AGRICULTURAL DEVELOPMENT  
AND ECONOMIC COOPERATION,**

*Washington, DC, April 29, 1993.*

Dr. Donald Woods Thomas, former Executive Director of the BIFAD Support Staff of the U.S. Agency for International Development (USAID), died on April 15, 1993, at St. Elizabeth Hospital, near his home in West Lafayette, Indiana.

Dr. Thomas was preceded in death by his wife, Barbara, less than a month earlier. He is survived by eight children.

Dr. Thomas began his career at Purdue University in 1954 as an Assistant Professor of Agricultural Economics, after having earned his bachelor's master's and doctor's degrees from Pennsylvania State University. Among the positions he held at Purdue, he served as the first Dean of International Agriculture. Dr. Thomas retired from the Purdue faculty on December 31, 1992.

Of the projects he led, developing institutional capabilities in research, education, and extension in countries of Africa, Asia, and Latin America, he was proudest of the Federal University of Vicosa in Brazil, which he headed. He became fluent in Portuguese, and his "Brazil connection" continued throughout his life through student and faculty exchanges with Purdue University.

Dr. Thomas is remembered by the Title XII community as the first Executive Director of the BIFAD Support Staff from its inception in October 1976 through December 1979. Dr. Clifton R. Wharton, Jr., now Deputy Secretary of State, was Chairman of BIFAD at that time, and the two remained colleagues and close friends.

The Board for International Food and Agricultural Development and Economic Cooperation pays tribute to the memory of Dr. Donald Woods Thomas for his long service and leadership in and dedicated contribution to international development and especially to the participation of U.S. universities in international development activities.

**RABBI MORRIS J. BLOCK HONORED  
FOR LIFETIME OF ACHIEVEMENT**

**HON. CAROLYN B. MALONEY**

*OF NEW YORK*

*IN THE HOUSE OF REPRESENTATIVES*

*Friday, October 15, 1993*

Mrs. MALONEY. Mr. Speaker, I am proud to rise today to bring to the attention of my colleagues an important event which will take place in Brooklyn on October 24. On that day, our community will mark the opening of Rabbi

Morris J. Block Street in recognition of the rabbi's extraordinary work in founding the Brooklyn School for Special Children.

In 1962, under the dynamic and pioneering leadership of Rabbi Block, the Brooklyn School for Special Children opened its doors. Since that time, it has grown from a two car garage to encompass six facilities in separate locations throughout the great borough of Brooklyn.

The reason for its growth lies in the strength of Rabbi Block's vision. His commitment to ensure that developmentally disabled persons are recognized with dignity, love and concern has made all the difference to thousands of New York's children. Rabbi Block's work on behalf of special children of all kinds of backgrounds and ethnicities is an example of what is greatest about New York and our country. He has devoted his life to eliminating the enormous prejudices that special children face at all levels of our society.

By providing an opportunity for developmentally disabled children to reach their full potential, Rabbi Block has enriched our community immeasurably. That is why I would like to ask my colleagues to join me in applauding his efforts by recognizing the unveiling of Rabbi Morris J. Block Street.

**DELAURO PAYS TRIBUTE TO  
MODEL HEALTH CARE PRO-  
GRAMS—MOBILE MAMMOGRAPHY  
VAN ACHIEVES ACCESSIBLE AND  
AFFORDABLE CARE**

**HON. ROSA L. DELAURO**

*OF CONNECTICUT*

*IN THE HOUSE OF REPRESENTATIVES*

*Friday, October 15, 1993*

Ms. DELAURO. Mr. Speaker, as the Nation focuses on health care reform, it is important to recognize programs, organizations, and people who are working to obtain our national health care goals: lowering costs of health care and broadening coverage so that all Americans can take advantage of the highest quality health care in the world. Through the leadership and initiative of residents of the Third Congressional District of Connecticut, south central Connecticut has many models worthy of recognition. Today, I want to honor one of these programs: The mobile mammography van of the Yale Comprehensive Cancer Center.

The mobile mammography van was established to give women of all income levels in Connecticut access to the health care that they deserve. Each year, breast cancer cuts short the lives of thousands of American women. While early detection through mammogram testing gives women a fighting chance against breast cancer, the high costs charged by hospitals have often made mammograms a luxury few women can afford.

Initiated in 1987 by the Yale Comprehensive Cancer Center with funding from the New Haven Foundation and the Connecticut Chapter of the American Cancer Society, the mobile mammography van travels throughout southern Connecticut 5 days a week. From Greenwich to Groton, 7,500 Connecticut women are tested annually.

As a nonprofit health care service with a full-time staff of only seven, the mobile mammography van maintains the lowest fee for mammograms in Connecticut. The van's advance schedule provides accessible service to companies, clinics, and individuals throughout southern Connecticut. Three days a month the van services low-income areas free of charge.

The results of this low cost preventive health service are already clear. During the first several years of operation, only one-third of the women utilizing the mobile mammography van had ever been tested before. After only 6 years, two-thirds of the women being tested have received mammograms previously—many through the van.

The mobile mammography van has taken southern Connecticut one step closer to our national health care objectives by providing affordable, accessible, and confidential health care. Advocating preventive care while maintaining low overhead, the mobile mammography van is working today to lower health care costs and provide quality care to all our citizens. I applaud the New Haven Foundation, the Connecticut Chapter of the American Cancer Society and the mobile mammography van of the Yale Comprehensive Cancer Center for presenting the women of Connecticut with an alternative to the high cost of mammography and the opportunity to lead longer, healthier lives.

**IN HONOR OF THE 100TH ANNIVER-  
SARY OF PERTH AMBOY HIGH  
SCHOOL**

**HON. ROBERT MENENDEZ**

*OF NEW JERSEY*

*IN THE HOUSE OF REPRESENTATIVES*

*Friday, October 15, 1993*

Mr. MENENDEZ. Mr. Speaker, I rise today in honor of the 100th anniversary of Perth Amboy High School in Perth Amboy, NJ. Tonight, alumni and friends of Perth Amboy High will gather for the first of many events scheduled through next June to honor the school and its century of pride. Principal Ben J. Rotella, a graduate of the school and one of the chief organizers of the celebration, reports that graduates will be coming from as far as Washington State and California to attend tonight's homecoming reception.

Perth Amboy High Schools counts among its alumni two very distinguished former Members of the House of Representatives, Congressman Bernard J. Dwyer, who represented New Jersey's old sixth District for 10 years; and Congressman Edward J. Patten, who so ably served the residents of New Jersey's old 15th District for 18 years. Current city mayor Joseph Vas is another of Perth Amboy High School's most prominent graduates. Other famous alumni include the late New Jersey State Attorney General David T. Wilentz, who prosecuted the Lindbergh kidnapping case; Bruce Taylor, who played basketball with the New Jersey Nets; his brother Brian Taylor, a football player with the San Francisco 49ers; and Aldona Appleton, New Jersey's first woman judge, and founder of the State's Juvenile and Domestic Relations Court.

Through the years, Perth Amboy High School has been housed in four buildings—the

Thomas Mundy Peterson School on State Street; a building, since demolished, near Smith Street; the William McGinnis School, and the present school on Eagle Avenue, which opened in 1972. This year's celebrations include the creation of a mural in the school cafeteria by students in the advanced art class and the gifted and talented class which will depict these four buildings.

Since 1894, Perth Amboy High School has successfully graduated 108 classes, including classes which graduated during the 1930's, when commencements were held both in January and June. Tonight, graduates of the school who have settled all across the country will return home to celebrate this milestone at their alma mater. I therefore join with the residents of Perth Amboy and the friends and alumni of Perth Amboy High School in celebrating the successes of the past 100 years, and looking forward to the next 100 years of educational excellence.

#### TRIBUTE TO COACH VIRGIL WELLS

##### HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to an outstanding member of the community, Mr. Virgil Wells in honor of his 37 years as a teacher and football coach in the public schools of South Carolina.

Coach Wells received his early education in his native North Carolina, later receiving his undergraduate degree from Allen University in Columbia, SC.

In 1954, Coach Wells began his career at Mayo High School in Darlington, where he served continuously for 33 years. During his tenure, Coach Wells served as teacher, athletic director, head football coach, 33 years; basketball coach, 30 years, and baseball coach, 14 years; finally retiring in 1987.

One year into retirement, Coach Wells returned to coaching as head football coach at Wilson High School in Florence, SC after the death of Walter English, who had been one of his former players at Mayo. Four years later, he retired again on November 6, 1992, bringing to a close a 37-year coaching career.

During his coaching career, Coach Wells won more than 200 football games. For 18 consecutive years, Coach Wells' football, basketball, and baseball teams had winning seasons. In 1985, he was the South Carolina nominee for the National High School Football Coach of the Year.

In addition to his professional career, Coach Wells is devoted to his community. He is a member of Omega Psi Phi Fraternity, the Darlington Optimist Club, Florence Civitan Club, NAACP and Bethel A.M.E. Church, where he is a member of the steward board.

A devoted family man, Coach Wells is married to the former Juanita T. Richburg and is the father of one son, Virgil III, and two daughters, Vanessa Anita, and Vita Lorraine.

Few individuals have had such a tremendous and positive impact on the lives of so many young people. Coach Wells has been a mentor, teacher, counselor, and surrogate fa-

ther to hundreds of young people. He is a true role model.

Mr. Speaker, I join the citizens of my district in honoring Coach Virgil Wells on a distinguished life of service to young people and to his fellow man.

#### THE SCIENCE EDUCATION CENTER: A NATIONAL TREASURE

##### HON. WILLIAM P. BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. BAKER of California. Mr. Speaker, I rise today to offer my congratulations on the 10th anniversary of the establishment of the Science Education Center at Lawrence Livermore National Laboratory.

I commend the laboratory's scientists, engineers, technicians, administrators, and others who contributed their personal time during this decade to help teachers and students throughout the Nation learn new scientific and technological skills.

The center, first of many sponsored by the U.S. Department of Energy, has consistently demonstrated the importance of making our schools the best they possibly can be. Future generations of Americans—and the Nation—will benefit from this laudatory effort.

Congratulations once again to the laboratory for its initiative in establishing the Science Education Center 10 years ago. May the next decade be equally as successful and fruitful for all those who have made the center truly one of the Nation's many educational jewels.

#### IN HONOR OF DOMENIC STALA

##### HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. BILIRAKIS. Mr. Speaker, I rise today to pay tribute to a man of deep courage and commitment, a man born to serve his country and born to lead his community, and my friend—Domenic Stala.

As a member of my veterans advisory council, he was a trusted counselor on veterans issues. The entire State of Florida lost a tireless advocate for the rights of veterans when Domenic recently passed away.

Domenic earned each and every one of his golden years—I won't say retirement because he never really stopped working. He could easily have decided to simply enjoy himself and shut out the rest of the world. That might have been what someone else would have done, but not Domenic.

He was an active member of the Air Force Sergeants Association since the 1970's. He was a charter member and past president of the Air Force Sergeants Blue Dolphin Chapter 527, which just celebrated its 17th anniversary.

He was one of the first presidents of division 5, which includes Florida, Puerto Rico, and the Panama Canal Zone. In this capacity, Domenic also served as a member of the

International Executive Council of the Air Force Sergeants Association.

He was instrumental in setting up the Eagle Scout Commendation Program through the international chapter in response to a recommendation from his blue dolphin chapter. Through this program, Eagle Scouts receive a certificate of recommendation from the international chapter for outstanding achievement and exceptional leadership ability in obtaining the rank of Eagle Scout.

While Domenic was very ill in his last years, I never saw him allow his enemy—bone cancer—the upper hand. That just wasn't his way.

Not very often do people with the generosity of spirit of Domenic come along. For so many years, I had the privilege to call him my friend—and I always will. To say he will be sorely missed just isn't enough.

My heart goes out to his family and we can all take comfort in the fact that ours were among the many lives he touched in such a special way.

#### TRIBUTE TO DANCE THEATER OF HARLEM

##### HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. DELLUMS. Mr. Speaker, I rise today to pay tribute to the accomplishments of an institution that has positioned itself as an integral part of our society and as an institution that has been successful in its commitment to excellence in the areas of artistic expression and humanitarian outreach. It is with great personal pleasure that I extend my congratulations to the Dance Theater of Harlem for 25 years of superb work.

The Dance Theater of Harlem is the fruit of the dedication of two individuals—Arthur Mitchell and Karel Shook, and their passion for the art of dance. They wanted the dance world to rethink its reason for being. It opened up doors for artistic expression and urged an influx of unprecedented artistic achievements. The philosophies of Arthur Mitchell and Karel Shook have been ubiquitous in the Dance Theater's standards and commitment to excellence.

The Dance Theater of Harlem has positioned itself as a national and global ambassador of cultural exchange—perpetuating its mission of bringing people together through the international language of dance. It has demonstrated what can be achieved, when individuals, especially children, are afforded an equal opportunity to excel. Conditional to tour South Africa in 1992, Dance Theater of Harlem stipulated that all activities must be accessible to all, thereby making known their statement that racial barriers should cease.

Inasmuch as the Dance Theater of Harlem and myself occupy different spectrums of the same arena, our shared vision of equality, social justice, and peace have made our efforts one and the same. I am honored to join in the celebration of 25 years of the remarkable service of the Dance Theater of Harlem.



OFFICIAL BELARUS COMMEMORATION OF THE 50TH ANNIVERSARY OF THE DESTRUCTION OF THE MINSK GHETTO

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 15, 1993*

Mr. GILMAN. Mr. Speaker, I want to take this opportunity to apprise my colleagues of a heartfelt and moving commemoration which will be taking place next week in Belarus. The Government of Belarus has proclaimed that the Jewish ghetto in Minsk, destroyed in 1943 by the Nazis, is to be the focus of a formal public commemoration conducted by the government. I want to express my appreciation and gratitude to the Government of Belarus for its commitment to remembrance of the Holocaust, and to preserving the memory of the hundreds of thousands of Jews from throughout Europe who were confined in the Minsk ghetto and who died at the hands of the Nazis and their henchmen.

Between October 19–22, 1993 events will be held commemorating the Jewish community, its confinement in the Minsk ghetto, and the ultimate liquidation of the ghetto and its inhabitants. A book and movie exhibit are anticipated as well as the opening of a retrospective exhibit at the Palace of Arts. The Museum of History of the Great Patriotic War will feature an exposition dedicated to the victims, and flowers will be laid at the Victory Monument and at the Khatyn memorial complex. The government has also scheduled an unveiling of a memorial board to the ghetto's victims at the site where the ghetto was liquidated, and the Republic's leadership will meet with former prisoners of the Minsk ghetto.

The Republic of Belarus has taken this commemoration very seriously, and has also scheduled a television broadcast of prayers for the Jews who perished, and on the final day of events has planned a public mourning meeting in commemoration of all Jews who perished on Belarus soil during the Holocaust.

Mr. Speaker, for many years the former Soviet Government refused to acknowledge the distinct pain, torture, and genocide suffered by Jews during the Holocaust. Places like Babi Yar did not note the uniquely Jewish nature of their killing fields. Therefore, the commemoration being conducted by Belarus next week not only deserves its proper recognition but also deserves our heartfelt appreciation.

Belarus expects to host representatives of major Jewish communities, public organizations, prominent officials from various nations as well as a host of mass media. The 400,000 Jews from Austria, Germany, Poland, Czechoslovakia, and other European states who perished in the Minsk ghetto will finally be remembered en masse by the new government and newly independent citizens of Belarus.

EXTENSIONS OF REMARKS

THE HOMEOWNER REFINANCING ASSISTANCE ACT OF 1993

**HON. JOSEPH P. KENNEDY II**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 15, 1993*

Mr. KENNEDY. Mr. Speaker, today I am introducing legislation that will help middle class families refinance their homes even though their home values may have dropped below their outstanding mortgages.

The biggest investment most Americans will ever make is their home. Young families work hard and sacrifice for years to save enough money to make a downpayment. When they finally succeed, most Americans can feel confident that their home will provide them both with shelter and economic security for the future.

But today, the American dream of home ownership has become the American millstone for too many homeowners.

Thousands of homeowners, through simple bad luck, have found their property values plummeting and their hard-earned equity wiped out.

As if this was not a big enough blow, they are also being forced to pay interest rates that are two, three, or more points above today's market mortgage rates.

Meanwhile, bankers who want to help, who know and trust their customers, are prevented from doing so in this regulatory environment.

I believe it is time for the Federal Government to step up to the plate and provide a program to help the people who make up the backbone of our communities, the people who do the work, and pay the taxes.

That is why I am introducing legislation that will create a new Federal insurance program to let these homeowners refinance their mortgages and take advantage of today's low interest rates.

The program will work very simply.

The homeowner will go to his neighborhood bank and apply for a new mortgage. He will be required to buy private mortgage insurance to cover up to 95 percent of the mortgage amount. Then, he will get insurance from this new FHA program to cover the balance.

The results will be a more stable homeowner less burdened by debt, and more money in the hands of middle class consumers.

For example, if you are paying 11 percent on a \$150,000 mortgage and can refinance that mortgage at 7 percent, you will save \$430. If your rate is 10 percent, your savings will be \$320.

This is significant money that will make a real difference in the lives of people working hard every day to pay their bills.

RONALD V. DAVIS HONORED FOR 13 YEARS OF LEADERSHIP SERVICE

**HON. OLYMPIA J. SNOWE**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 15, 1993*

Ms. SNOWE. Mr. Speaker, it is with great pleasure that I rise today to give tribute to the

hard work and accomplishments of a good friend Ronald V. Davis.

Ron, who is chairman of the board of The Perrier Group of America, Inc., has consistently been at the forefront of the bottled water market for the past 13 years. His leadership has helped bring Perrier to preeminence as America's most recognized brand of bottled water. Ron developed an organization that started from a single brand company to one which today is involved in the management of eight regional, domestic bottled water companies, as well as Perrier itself. These top-selling brands include Poland Spring, Arrowhead, Ozarka, Zephyrhills and Calistoga. Today the Perrier group leads the bottled water category, commanding almost 25 percent of industry sales.

Ron has also twice been president of the International Bottled Water Association. As president, he has unselfishly donated a tremendous amount of his time to helping the bottled water industry and its trade association reach its many achievements in the government relations, technical and public relations fields. In 1981, as president of the Council of Natural Waters, Mr. Davis was instrumental in the merging of the council with the American Bottled Water Association to form the International Bottled Water Association. In 1984, Mr. Davis was instrumental in strengthening IBWA's mandatory quality assurance inspections for members bottler plants, including the retention of the National Sanitation Foundation to conduct the plant inspections. Under Mr. Davis' presidency, IBWA established a voluntary industry code of advertising. In 1985, under Mr. Davis' presidency, the IBWA model code underwent extensive revision and expansion, including the expansion of the monitoring program for MCL's, establishment of a recall program and requirement to use dedicated equipment.

Prior to his position with Perrier, Ron worked for 10 years with the General Foods Corp. in sales and marketing positions. He received a degree in business administration from California State University at Fullerton and a master's in business administration from the University of Southern California. Ron currently resides in Greenwich, CT, with his wife and two children. He is active in many community health and charitable associations.

Mr. Speaker, as you can see, Ronald Davis is someone who is deserving of recognition for his accomplishments in the business world. This second term of his presidency culminates 13 years of leadership. I thank you for taking this time to recognize such a distinguished individual.

INTRODUCTION OF LEGISLATION TO REORGANIZE THE NATION'S DISASTER RELIEF PROGRAM

**HON. ROBERT A. BORSKI**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, October 15, 1993*

Mr. BORSKI. Mr. Speaker, today I am introducing legislation that would drastically overhaul the operations of the Federal Emergency Management Agency which spearheads the

Federal Government's disaster response and recovery effort.

The key to this bill is the merger of the different functions of FEMA, including those that were previously held in reserve solely for use in the case of a nuclear attack, to meet all types of disasters, whether natural or man-made. The cold war has ended and we can make much better use of these resources.

The Disaster Response and Recovery Act of 1993 is designed to provide quick action on disasters. We want rapid responses with coordination among Federal, State, local, and private agencies, with resources available as soon as they are needed and with a clear understanding of the mission and roles of the various agencies.

There is no question the groundwork for disaster response must be laid before the disaster is actually declared through long-term preparations and action in anticipation of a declaration.

Substantial changes are necessary to provide better preparation and coordination for disaster response. Under my bill, a new and revitalized FEMA will lead a coordinated, overall Federal effort, along with State and local officials and private relief agencies, to prepare our Nation to meet the effects of disasters of any kind.

The Subcommittee on Investigations and Oversight of the Committee on Public Works and Transportation has held several hearings during the last 2 years on FEMA's response to Hurricane Hugo, Hurricane Andrew, and other disasters. FEMA's response to those earlier disasters was simply inadequate. The new director, James Lee Witt, has recognized these problems and has responded to them with a forward-looking internal reorganization of FEMA but additional statutory changes are needed.

FEMA must be the lead Federal agency that takes the initiative on all types of disasters, helping State and local governments prepare response plans, coordinating with States on training activities, having disaster support teams prepared to respond immediately. The crucial part is the advance preparations—Federal, State and local agencies, as well as private organizations must know their roles and functions and all the necessary supplies and materials must be available.

With my proposal, significant amounts of resources will no longer be walled off from use in response to natural disasters because they are required for some potential, future attack on the United States. FEMA will truly be an all-hazards agency that uses all of the resources at its disposal for any type of disaster.

The bill calls for closer coordination between Federal and State officials. It requires FEMA to establish performance standards for State training and preparedness and requires an annual review by FEMA of the State's activities. In addition, the bill requires reports on the role of the National Guard, the fire service, and private relief agencies in disaster response.

I am also proposing a new \$100 million annual program of disaster preparedness grants to States and a \$100 million annual program of disaster mitigation grants to States.

## EXTENSIONS OF REMARKS

### DEDICATION OF YERBE BUENA GARDENS

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Ms. PELOSI. Mr. Speaker, this week in San Francisco we are witnessing an urban renaissance through the opening and grand dedication of Yerba Buena Gardens. For an entire week, the city will have a nonstop festival of openings and dedications, along with presentations of dance, music, theater, visual art, literature, and film, celebrating the end of a journey which has lasted nearly 30 years.

Yerba Buena Gardens, the crown jewel of Yerba Buena Center, is proof that San Francisco hasn't lost its touch for grand public works projects. As Allen Temko, the Pulitzer Prize-winning architectural critic for the San Francisco Chronicle said, this is probably the finest array of cultural facilities and landscaped spaces yet to appear in an American city in the 1990's.

Yerba Buena Gardens consists of an Esplanade and the Center for the Arts. The Esplanade is a 5.5 acre urban park which includes an outdoor theater, sculptures, and whose centerpiece is a 50 foot-wide, 20 foot waterfall which also serves as a dramatic backdrop for a moving memorial to Martin Luther King, Jr. Behind the waterfall, 14 glass panels set in granite are inscribed with memorable quotations from Dr. King, and translated into 8 different languages to reflect the universal truth of his message of peace, equality, and freedom. On the upper level of the Esplanade is a Sister City Garden featuring distinctive flora from each of San Francisco's 13 sister cities.

The Center for the Arts consists of two buildings: A Center for the Arts Galleries and Forum and the Center for the Arts Theater, designed, respectively, by award-winning architects Fumihiko Maki and James Stewart Polshek. The center's founding mission is to promote cross-cultural understanding and mutual respect by celebrating the rich diversity of the global cultural landscape. Cutting edge and traditional, new and established, the center will be multidisciplinary arts institution devoted to change, experimentation, and debate.

This magnificent project was not, however, without its bumps in the road, course corrections, program changes, and community concerns. Yerba Buena Gardens began as an idea over 30 years ago beginning with the mayoral administration of George Christopher, and slowly took shape through the administrations of the late John Shelley, Joseph Alioto, the late George Moscone, DIANNE FEINSTEIN, Art Agnos, and Frank Jordan.

Throughout this time, the San Francisco Redevelopment Agency—its magnificent executive officers, project directors, project staff, and commissioners—helmed the project through countless changes, redesigns, and amendments. The success of Yerba Buena Gardens is a tribute to their skill, passion, and leadership.

Mr. Speaker, perhaps the San Francisco Examiner said it best: "Cities stay alive through new ideas. Yerba Buena Gardens is

an idea written into The City itself. Its existence will enhance the art of The City." On behalf of the Congress, I commend the city of San Francisco—the city that knows how—on the occasion of this remarkable achievement and model for our Nation.

## PROGRESS IN MAURITANIA

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. BURTON of Indiana. Mr. Speaker, the nation of Mauritania in northwest Africa is making progress in the economic and political spheres. A severe human rights problem is being addressed, and elections are steering the country toward democracy. Mauritania should be encouraged to continue along the proper path in these areas. The recent visit by Mauritanian Foreign Minister Moine resulted in very positive meetings and further cementing of ties between the Mauritanian and American peoples.

I commend to my colleagues' attention this statement by Albert Blaustein, Rutgers University law professor and noted constitutional expert, on the current developments in Mauritania.

### MAURITANIA'S EMBRACE OF DEMOCRACY

(By Albert P. Blaustein)

I would like to acknowledge not only the new direction that Mauritania has been forging in democratic and economic reforms, but also the real progress that it has made along that path.

A number of developments over the past 2 years convince me that positive and irreversible changes are occurring that will bring real benefits to all of its people.

First, Mauritania now possesses a fully fledged democracy movement. Two years ago, it had a military government—now it has a popularly elected President, Senate and Assembly, and an independent judiciary. Two years ago, it had 1 political party, now it has 16. And 2 years ago, it had 1 (government-run) newspaper, now it has 31—some of which are extremely critical of the government. Further, there are now more than 36 trade unions that are free to organize workers without government or employer interference. And, according to the U.S. Department of State, there are now no political prisoners.

Just as encouraging is the spirit in which the democracy movement is taking place: all elections were held on schedule as originally announced; international monitors agree the elections were a true example of freedom of expression, press and movement; and municipal elections scheduled for 1995 have been voluntarily brought forward by the Government, since the Senate is reelected by municipal leaders.

Second, Mauritania is an increasingly active player on the international scene. In January 1993, it broke ranks with an Arab League boycott that included Egypt and Saudi Arabia to sign the chemical weapons ban treaty in New York. In addition, Mauritania was one of the first African nations to offer troops from United Nations peace-keeping forces in Somalia; the country has also served as a peace-broker between the Malian Government and the Taureg rebels, bringing both sides to the negotiating table while



sheltering and feeding thousands of Taureg refugees that fled to Mauritania to escape the conflict. Furthermore, and very importantly, Mauritania has made great strides, together with Senegal, in returning life for the people who live along their border back to normal once again.

Mauritania is now actively seeking ways to improve its relations with the U.S. Peace Corps's activity in the country is greatly welcomed and appreciated, but Mauritania also needs and seeks the resumption of U.S. economic development assistance (food aid), and military assistance (especially the Coastal Security Program) and the scholarship program for Mauritanian university undergraduates to study in America.

I believe that Mauritania deserves more recognition of its achievements in democratic and economic reform from the United States, and I recommend that the U.S. investigate ways to actively support further progress in Mauritania.

**FRANK TROTTA: ITALIAN AMERICAN SERVICE CLUB'S 1993 MAN OF THE YEAR**

**HON. GEORGE J. HOCHBRUECKNER**  
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES  
*Friday, October 15, 1993*

Mr. HOCHBRUECKNER. Mr. Speaker, I rise today to recognize and congratulate an outstanding citizen from the First Congressional District of New York. Frank Trotta, a lifelong resident of Bellport, NY, who is being honored this week by the Italian American Service Club of Brookhaven for his leadership and organizational skills in many community services. Mr. Trotta's contributions have made him an outstanding choice for the club's "Man of the Year" award for 1993.

Currently, Mr. Trotta serves as the mayor of the village of Bellport, a post he has been elected to by his community for the past 6 years. Mr. Trotta had also previously served as a village trustee for 6 years. Under his leadership, the first Bellport Village kids camp and senior citizen programs were established and well received. Mayor Trotta also oversaw major improvements in many of Bellport's recreational facilities; in particular, the Bellport County Club tennis and golf facilities. Mayor Trotta has been able to accomplish these worthwhile goals while maintaining a level tax rate for the past 10 years. In light of the current economic climate, this is a commendable act.

Frank Trotta has long been an advocate for the elderly. His business career included 15 years in the field of aging programs and services. In 1988 he founded the not-for-profit organization Senior Citizens Services which coordinated travel, employment and training programs and also a home meal delivery program for Long Island seniors. Most recently, he acquired Senior News Long Island, a publication with an islandwide circulation of 25,000 homes. Under two county administrations Frank Trotta served as director of Suffolk County Office for the Aging. In addition, he has served as executive director of the Nassau/Suffolk chapter of the Alzheimer's Association.

Frank Trotta has given his time and participated in various other community organiza-

tions including the Suffolk County Red Cross, Community Mediation Center of Suffolk County, Foster Grandparents of Suffolk County and Retired Senior Volunteer Program. Mayor Trotta exemplifies the mission of the Brookhaven Italian American Club, to provide community service to all walks of life.

It is with great pleasure that I join with the Italian-American Service Club, the family of Frank Trotta and the residents of my congressional district to honor and publicly thank this outstanding and caring citizen of our community.

**CHARTING OUR FUTURE: COMMUNITY SUPPORT FOR FAMILIES AT RISK**

**HON. ROMANO L. MAZZOLI**

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES  
*Friday, October 15, 1993*

Mr. MAZZOLI. Mr. Speaker, I wish to call to the attention of our colleagues a special conference entitled: "Charting our Future: Community Support for Families at Risk" which was held Monday, September 27, 1993, in my congressional district.

The conference was organized by my good friend, county judge/executive for Jefferson County, David Armstrong. He and members of his staff, recognizing that American families, particularly our young families, are in need of assistance, arranged this conference to examine possible solutions to the problems facing mothers, fathers, and children.

Under Judge Armstrong's able leadership, this conference had three phases: determining our destinations; creating and building successful approaches; and, consensus building.

Our families are the greatest treasure this Nation possesses, and our young families must be given all the social, financial, educational, and medical advantages necessary so they can flourish in the challenging and difficult years ahead.

The world is more complex than ever, and tomorrow it will be no less complex. The ideas and recommendations from this conference, Mr. Speaker, will assist all of us in designing programs to strengthen young American families.

Finally, I send special thanks to Donna Shalala, Secretary of Health and Human Services, for taking time from her hectic schedule to participate in the conference. We were honored to have one of her status and rank in our community, and her comments added weight and insight and power to the conference.

The young American family is our Nation's hope for the future. I am proud that we in Louisville and Jefferson County are committed to the family's security in the next century.

**TRIBUTE TO PHYLLIS TROY**

**HON. HOWARD COBLE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES  
*Friday, October 15, 1993*

Mr. COBLE. Mr. Speaker, I would also like to rise in support of my good friend, TOM BL-

LEY, and recognize a woman of rare quality and unequalled merit—one Phyllis Troy.

During his tenure in the House, TOM BLILEY has been fortunate to have some very fine staff members work for him, but the spark of life—the commanding presence in his Rayburn office—has been and always will be his secretary and scheduler, Phyllis.

Coming to Washington when television was still a newfangled gadget, this fine lady had dedicated herself and her life's work to the Member of Congress from Richmond, VA. The people of this Virginia district may never know the hard work done on their behalf by this truly dedicated woman.

Mr. Speaker, I am here to tell you that as a gatekeeper and often protector of the boss, Phyllis Troy has no equal—she simply wrote the book on how to work on the Hill. Phyllis does not suffer fools easily—and I bear witness to the fact that if you want an appointment with the Virginia gentleman, you better be sure you are on the schedule and on time or you'll be on your way out the door.

During my years in Washington, Mr. Speaker, I have been fortunate enough to meet a great many people—Presidents, heads of state, Hollywood stars. But, I have yet to meet someone as engaging, someone as genuine, and someone as truly devoted as Phyllis Troy.

Tom Bliley is a fortunate Member of the House to have 40 years of experience to assist his office. All of us who work on Capitol Hill would do well to take a page from Phyllis Troy's handbook of public service—where honest, hard work earns you the respect and admiration of those around you.

Here's to another 40, Phyllis.

**THE FRIEND OF BILL LOOPHOLE**

**HON. GERALD B.H. SOLOMON**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES  
*Friday, October 15, 1993*

Mr. SOLOMON. Mr. Speaker, yesterday morning's Wall Street Journal carried an editorial entitled "The FOB Loophole" which poignantly describes another inequity in the recently passed budget proposal.

As many are well aware, the 1993 budget contained a provision limiting the deductibility of compensation exceeding \$1 million that is paid to chief executive officers. However, this tax provision only applies to chief executive officers and the four other highest compensated officers in publicly held corporations and not to any other highly compensated individual.

During the budget debate President Clinton, himself, claimed that the intent of this proposal was to encourage corporations to focus more clearly on their compensation policies and to shift business spending from excess pay to investment. However, formulating law in response to public scrutiny and criticism is poor public policy and ignores both the policy implications and the budget realities of fiscal legislation. Furthermore, it is a blatant attempt to further entangle class warfare with the Federal Tax Code.

Even beyond the economic ramifications of such a provision, this preference in tax liability is not even administered in a fair and equitable manner. As this editorial points out,

Barbra Streisand, as an entertainer, will be taxed at a rate of 39.6 percent on the \$20 million—\$8 million in tax revenues—she received for her 2 days of work. In contrast, an executive at MGM with an annual gross salary of \$20 million would be taxed at an effective rate of 60 percent—\$12 million in tax revenue.

Tax laws such as this seek to restrain that sector of the economy that reinvests its funds, creates new jobs, and spurs economic growth. Corporate executives, as the editorial points out are more likely than entertainers like Madonna and professional athletes under George Steinbrenner to invest their compensation in stocks and other economically productive investments, thereby increasing shareholder value.

As the editor writes: Viewing business as an inherently suspect enterprise, and business people as potential looters if not watched closely, Mr. Clinton's Tax Code wades into the market for executive salaries. Many of my Republican colleagues and myself pointed out this unfair, pro-Hollywood tax provision earlier in the year—our concerns went unheeded—the Wall Street Journal now prints the results of this unfortunate reality. I commend the following article to your concerted attention.

#### THE FOB LOOPHOLE

It somehow caught our eye that Barbra Streisand will pick up \$20 million for two days' work at the MGM Grand Casino in Las Vegas. We've never objected to anyone collecting what the market thinks she or he is worth, but we do recall that Ms. Streisand is a certified Friend of Bill. And we somehow doubt this will provoke a denunciation of "greed" of the sort the President and his wife have leveled at doctors, insurers and drug manufacturers. Indeed, Ms. Streisand and similarly situated FOBs enjoy a privileged position under the new tax code Mr. Clinton has imposed as penance for the Greed Decade.

Certainly \$20 million in loot qualifies her as "rich," and thus she'll be called upon to pay her "fair share." But at least MGM Grand Inc. gets to deduct her compensation as an ordinary business expense, taking her \$20 million off its gross receipts before paying taxes on whatever net is left. That's presumably because in the moral universe of the Clinton tax code, warbling tunes for Vegas high rollers qualifies as work of redeeming social value.

For certain more suspect lines of employment, pay can no longer be deducted as an ordinary cost of business, at least if over a year it adds up to 1/20th of what Ms. Streisand takes for a couple hours of work. MGM Grand can deduct whatever it decides to pay her, but it can't deduct more than \$1 million of whatever it pays its top five executives.

As it happens, these folks don't make anything like what Ms. Streisand does. President and CEO Bob Maxey has base pay of \$255,000 a year, and Chairman Fred

Benninger get \$610,000. You could argue that it's different because they set their own salaries, but they don't. They report to a board dominated by majority shareholder Kirk Kerkorian, not known as a blushing-violet negotiator.

What Mr. Clinton's tax law really means is that Mr. Kerkorian can be more generous with Ms. Streisand than with Mr. Maxey or Mr. Benninger. Or if you turn it around with a few envelope-back calculations, Ms. Streisand gets a lower true tax rate on what Mr. Kerkorian has to shell out.

On her MGM earnings, she will face something like an effective tax rate of 39.6%, and give Mr. Clinton's tax collectors about \$8 million. If Mr. Kerkorian decided an executive was worth \$20 million gross, the combined corporate and personal tax on this amount would come to some \$12 million, an effective rate of 60%.

Despite everything, Mr. Clinton understands that companies must be able to offer competitive salaries for executives, and thus permits a loophole for "performance-based" compensation. So there's no special penalty for stock options. Mr. Maxey holds options on 160,000 MGM Grand shares, and Mr. Benninger holds 150,000. It's doubtful that they make anything like Ms. Streisand's yearly compensation, let alone hourly rate, for success in increasing shareholder value.

So let's take a moment to deconstruct: Viewing business as an inherently suspect enterprise, and business people as potential looters if not watched closely, Mr. Clinton's tax code wades into the market for executive salaries. It is prima facie evidence of corruption or social grossness if managers earn too much, though we're not exactly sure how the moral fault line came to be precisely a million dollars.

Happily, the former Governor of Arkansas has divined a way to keep business leaders from resting on their duffs, by harnessing their "greed" for socially constructive ends. But no such special scrutiny is needed for someone who makes more than a million serenading lounge lizards or hitting baseballs.

We're not sure we understand the morality here. What we do understand is that a lot of Hollywood celebrities, and far fewer chief executives, are certifiable FOBs.

#### 100TH ANNIVERSARY, GRACE LUTHERAN CHURCH, RED LION, PA

#### HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 15, 1993

Mr. GOODLING. Mr. Speaker, I would like to share with my colleagues a brief history of the Grace Lutheran Church in Red Lion, PA on its 100th anniversary.

In the fall of 1893, a missionary committee from the Lutheran Ministers Association of York County reported that Lutheran services

were desirable in the town of Red Lion. Catherine Meyer provided a lot on which to construct a church and shortly thereafter the cornerstone was laid. On May 24, 1896, the building was dedicated by the first pastor, Harvey Berkey. A parsonage was soon added in an adjacent lot. The church continued to grow in membership and during the 1920's the church purchased a new parsonage for the minister, converted the old parsonage into Sunday school classrooms, and bought a Steinway piano. In addition, planning for a larger church began in 1923. With much anticipation the congregation moved into their new church in March 1933. Although the members were excited about the day's events, they were uncertain of the future due to the declared bank holiday. Since the addition of the new church various physical improvements have been made to the church and its property throughout the years. A number of church programs have also grown or developed, including the choir, various committees such as social ministry, and the youth group.

Throughout the church's history one can trace corresponding events in America. In the early 1900's, the church received plumbing and was wired for electricity. Services in 1918 made use of a World War I battle flag. The growing women's movement in the 1920's spurred the women of the congregation to form the Women's Missionary Society. A brotherhood organization made use of the revolutionary automobile to transport its members to distant meeting sites. A Boy Scout troop was chartered by the church as the Scout movement gained nationwide popularity. The church came together during the Great Depression and World War II when its families supported one another.

Besides instilling religious teachings to its congregation, the church provides invaluable contributions to the public. The spirit of giving, however, was not limited to the surrounding community. As early as 1897, the church donated two monetary gifts to the India Relief Fund. Members also have helped various organizations such as the Red Cross and the Salvation Army, donated money to victims of natural disaster, adopted families from foreign countries, collected clothes and food for the less fortunate, and raised money for hunger relief. The church also allows community groups such as the Girl Scouts, Alcoholics Anonymous, and the Historical Society to use its facilities.

The Grace Lutheran Church is the embodiment of traditional American values: Family, religion, and community services. Not only does it continue to fulfill its initial, and still much needed mission, but its history also provides a window on the development and history of the communities in York County, PA.